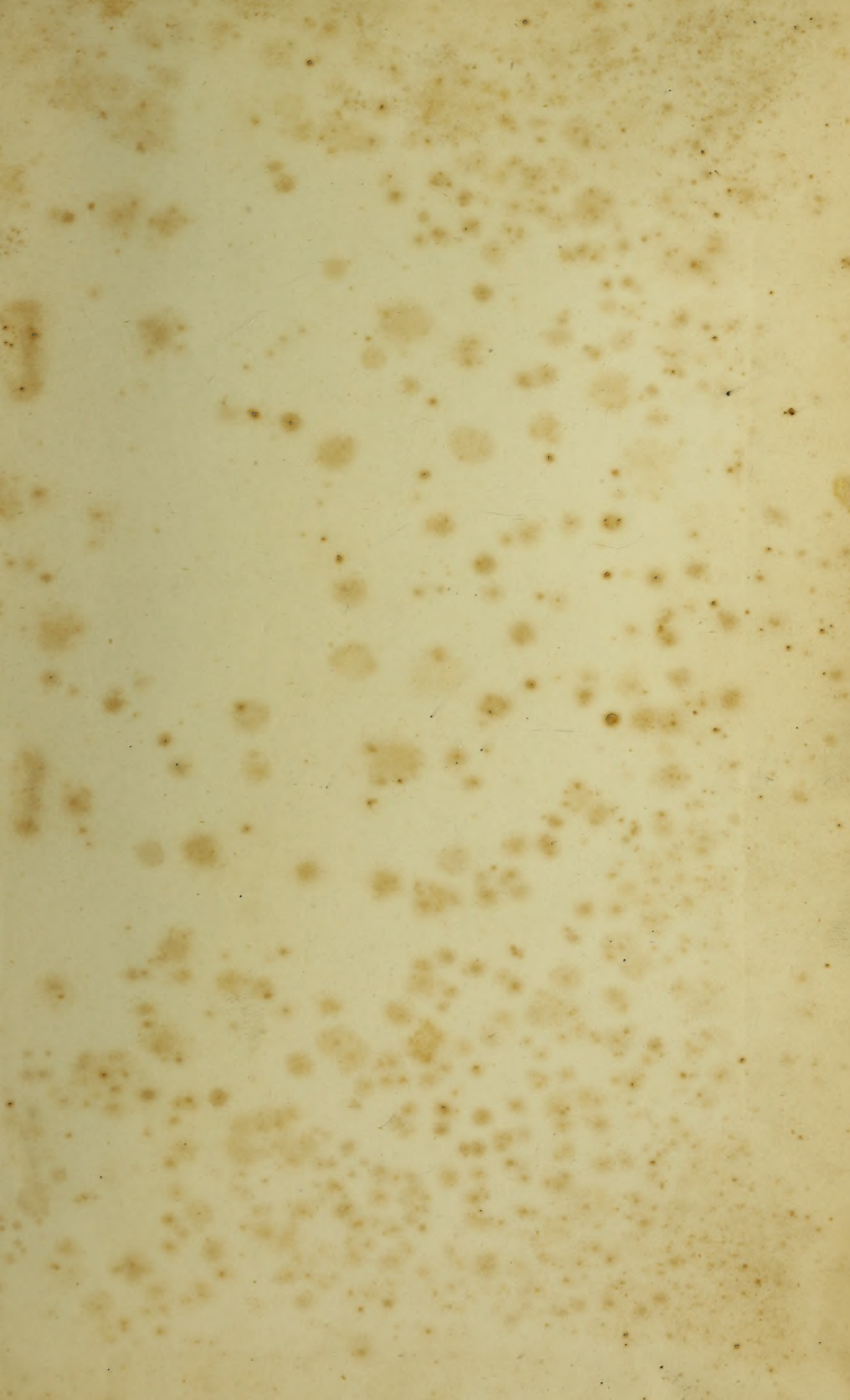


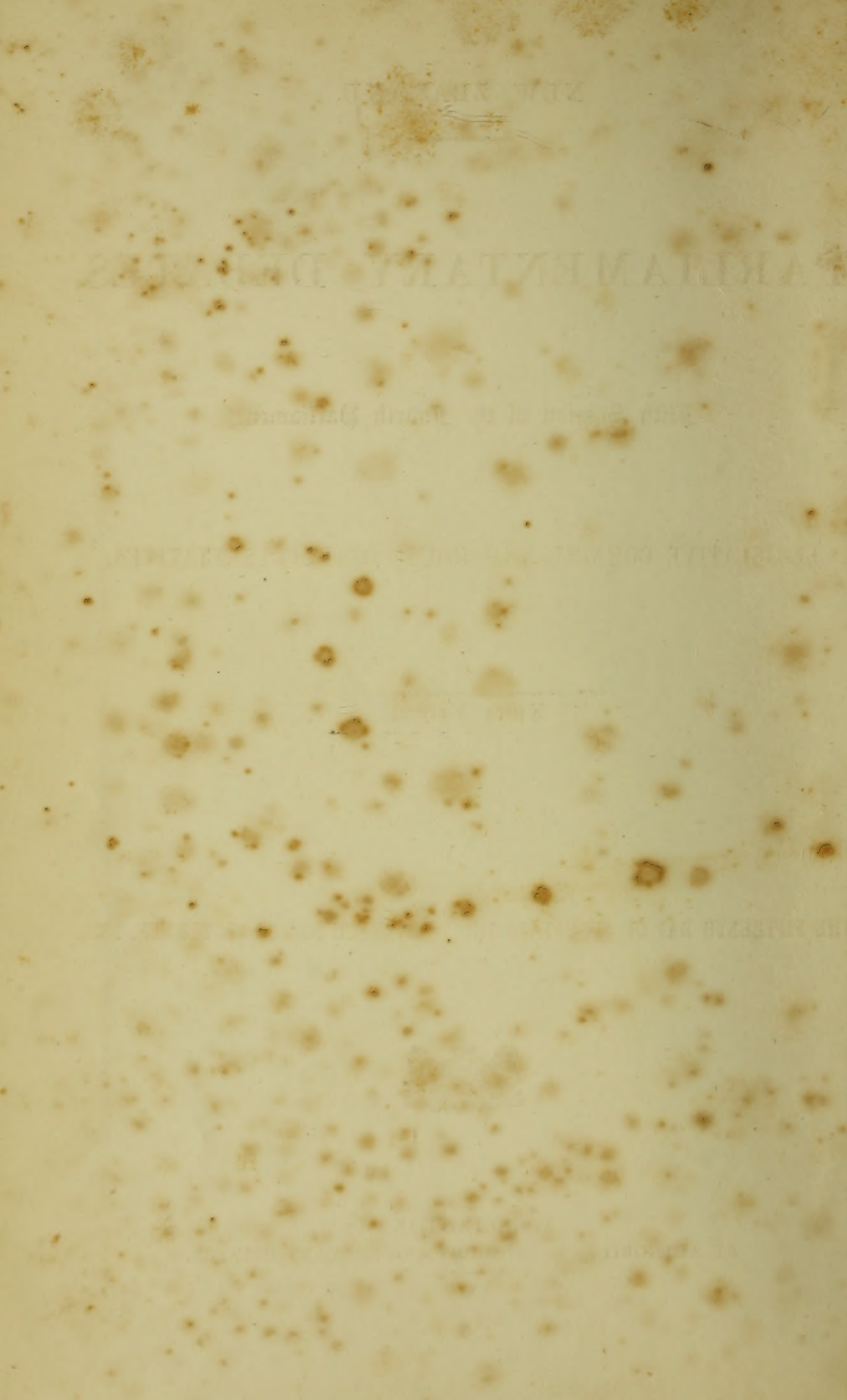
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NEW ZEALAND.

PARLIAMENTARY DEBATES.

Fifth Session of the Fourth Parliament.

LEGISLATIVE COUNCIL AND HOUSE OF REPRESENTATIVES.

Ninth Volume.

COMPRISING THE PERIOD FROM

THE FIFTEENTH DAY OF AUGUST, TO THE THIRTEENTH DAY OF SEPTEMBER, 1870.



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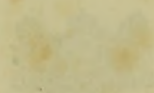
NEW ZEALAND

PARLIAMENTARY DEBATES

First Session of the Fourth Parliament

THURSDAY, 11th DECEMBER 1874

NEW ZEALAND



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ERRATA.

Page 17, 1st column, line 9.—For “Auckland” read “Westland.”

Page 311, 1st column, line 12.—For “mediatory” read “mediatrix.”

Page 379, 1st column, line 47.—For “Caversham” read “Hampden.”

Page 624, 1st column, second line from bottom.—For “and for that reason he had supported it” read “though he had considered it unsuited to its present circumstances and therefore he had not supported it.”

Page 625, 1st column, line 21.—For, “was aware” read “was not aware.”



NEW ZEALAND.

PARLIAMENTARY DEBATES.

Fifth Session of the Fourth Parliament.

LEGISLATIVE COUNCIL.

Monday, 15th August, 1870.

Analyses of Acts of 1867—Standing Orders on Private Bills—Green and Spencer Land Claims Bill—Bankruptcy Bill—Real Property Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

ANALYSES OF ACTS OF 1867.

The Hon. Mr. MENZIES, in moving the motion standing in his name, said that the Council would remember that, three sessions ago, the Bills were laid on the table without any analyses being prefixed, as had been previously the practice. The Council passed a resolution, desiring the Government to make the required amendment, and the Government had undertaken to do so. Those analyses, however, had not been prefixed to the Acts, neither were they to the Acts of that session, and the consequence was, that magistrates or other persons having occasion to refer to the Acts of that particular session, found themselves as much at sea as persons usually did who endeavoured to find anything in a large book without an index. He trusted that the Government would agree to the motion.

Motion made, and question proposed, "That the Government be requested to cause an analysis of the Acts of the General Assembly for 1867—such as have been always prefixed to Acts of the Assembly in other sessions—to be prepared, and to circulate copies thereof to all Courts of Law within the Colony."—(*Hon. Mr. Menzies.*)

The Hon. Mr. GISBORNE said that he had no objection to the request of the honorable member. The Acts of 1867 were conspicuous by the absence of any analysis, and it was most inconvenient for persons in referring to them to have to follow the side notes.

Motion agreed to.

STANDING ORDERS ON PRIVATE BILLS.

The Hon. Mr. SEWELL, in moving the motion standing in his name, said that a similar Committee had been appointed by the House of

Representatives, and a report had been brought up to the effect that it was desirable that certain alterations should be made. He had had an opportunity of talking over the matter with the Speaker of the other House, who was of opinion that the Standing Orders in question were very cumbersome, and might be abridged with advantage.

Motion made, and question proposed, "That a Select Committee be appointed to consider and report as to any alterations and amendments in the Standing Orders relating to private Bills. The Committee to consist of the Hon. the Speaker, the Hon. Major Richmond, C.B., the Hon. Mr. Waterhouse, the Hon. Mr. Domett, and the Hon. Mr. Holmes. The Committee to have power to confer with any Committee of the House of Representatives appointed with a similar object. The Committee to report on the 26th instant."—(*Hon. Mr. Sewell.*)

The Hon. Mr. LEE thought that it was rather unusual to appoint another Committee to consider the Standing Orders, as a Committee had been appointed in the early part of the session for that very purpose. This motion would appear to throw a slight upon that Committee.

The Hon. Mr. SEWELL said that nothing could be further from his intention than to throw any slight upon the Standing Orders Committee, and he had simply followed the course which had been taken by the other House. He thought that matters relating to private Bills were somewhat different from the ordinary business of the Council, as many questions of a technical and legal kind were involved, which, although he did not wish to imply that the Sessional Committee was not perfectly competent to deal with, were rather outside of the rules which regulated the proceedings of the Council.

The Hon. Major RICHMOND, C.B., said that it was usual to refer such matters to the Sessional Committee. He would ask the honorable member whether he had consulted the Hon. the Speaker of the Legislative Council as well as the Speaker of the House of Representatives.

The Hon. Mr. SEWELL said that he must apologize for the omission; he need scarcely say that he had not the least intention of offering any disrespect to the Hon. the Speaker, whose

name, he might remark, he had placed upon the Committee.

Motion agreed to.

GREEN AND SPENCER LAND CLAIMS BILL.

On the order of the day for the third reading of this Bill being read,

The Hon. Mr. MENZIES wished to move, as an amendment, that the clause of which he had given notice be added to the Bill. The effect of the clause would be to enable the Spencers, who had been the defendants in the action, to obtain compensation forthwith. Under the provisions of the Green and Spencer Land Claims Act of 1868, which this Bill proposed to amend, they would be entitled to that compensation, but not until after the award in satisfaction of Green's large land claims was made. By the operation of this clause the Spencers would receive, in land, an equivalent for the amount they were entitled to, when the taxed costs were ascertained, and the amount in value of land would be afterwards deducted when the claims of Green were satisfied.

Motion made, and question proposed, "That the following clause be added to the Bill:— 'In the event of the new decision and award aforesaid not being reversed by certificate of a judge of the Supreme Court, in manner in the said Act and herein provided, it shall be lawful for the Governor, with the consent of the Superintendent of the United Provinces of Otago and Southland, to grant to the said James Spencer an amount of land equal in value, when assessed in accordance with the waste lands regulations in such united Provinces in force at the time, to the amount of costs incurred as herein aforesaid, and to deduct an equivalent amount of land from any land to be granted to the claimant George Green in the said Act described, in satisfaction of any claims of the said George Green to lands in the Middle Island of New Zealand.'"—(*Hon. Mr. Menzies.*)

The Hon. Mr. SEWELL said he should be sorry to throw any impediment in the way of the clause, but he hardly thought it was one that should be introduced into this Bill. It appeared that George Green possessed some contingent claims, unascertained and not adjudicated upon, in the Middle Island; and the question was, whether, whilst the extent of those claims was undetermined, the Spencers should have lands assigned to them which should be equal in value to the amount of the costs incurred. As the amount of the costs, as well as the land, was undefined, it seemed that, until Green's claims were ascertained, it would be anticipating adjudication to say that the Spencers should have land equal to an unascertained amount of costs.

The Hon. Mr. DOMETT said that an award under the last Act had been given against Green, and that Act provided that if the award declared that Green had been guilty of misrepresentation, and the award should not be upset by the Supreme Court, the costs in the case of the Spencers should be paid. The award did say that Green was guilty of having made a mis-

representation, and the Council thought that, if the award should stand, the Spencers should be indemnified out of other lands which Green claimed. An award had lately been made to Green, in respect of his other claims, in accordance with the decision of the other House, authorizing him to receive from 5,000 to 7,500 acres of land. It was agreed to as far as the Superintendents of the Provinces were concerned, and there would, he supposed, be a Bill passed to give him the land. He was not aware whether there would be any opposition to that Bill by the Council. The resolutions of the Council and the House of Representatives in regard to the claims were rather antagonistic, but he did not think that there would be any objection on the part of the Council to the mode which had been arrived at of settling the matter. If not, Green would be entitled to receive 7,500 acres of land in satisfaction of old land claims, whilst at the same time he would have been found guilty of having obtained Spencer's land by misrepresentation, and of having ousted another man from possession. Under these circumstances, it seemed to be only fair that the Governor should grant land in satisfaction of Spencers' costs, out of any land which might be awarded to Green.

The Hon. Mr. MILLER said there could be no doubt that the country had been put to great expense in connection with Green's claims, and if the land mentioned were awarded to him, it would be only fair that the Spencers should be indemnified out of it. He approved of the clause.

The Hon. Captain BAILLIE said that the clause was submitted to the Attorney-General for his approval before it was taken possession of by the Hon. Mr. Menzies. With respect to the award to Green, he might say that he was justly entitled to a large block of land in the South Island, a large proportion of which was situated in Otago and Southland. A report had been laid upon the table of the Council, granting to Green a certain quantity of land, but that report did not quite agree with the quantity awarded to Green by the House of Representatives. It was thought that some of the claims made were altogether too outrageous—mere scraps of paper—which showed he had no title.

The clause was read a second time.

The Hon. Mr. SEWELL said it was not specified out of what land the claim was to be satisfied. Was the land to be taken indiscriminately?

The Hon. Mr. MENZIES said there was really no difficulty in the matter. When the amount of assessed costs was ascertained, the Governor might award an amount of land equivalent, in Otago and Southland, as Green's claims allowed. His claims were almost all in Otago and Southland,—he had claims to a small extent in Canterbury, but chiefly in Otago and Southland.

The clause was read a third time.

The Bill was then read a third time and passed, and it was ordered to be sent in a message to the House of Representatives requesting their concurrence.

BANKRUPTCY BILL.

This Bill was considered in Committee, reported to the Council with amendments, and the third reading fixed for next sitting day.

REAL PROPERTY BILL.

The Council went into Committee on this Bill.

The Hon. Dr. BUCHANAN said he thought that, before the Committee proceeded to consider the several clauses of this Bill, it would be convenient if the Hon. the Minister of Justice would have the goodness to explain the general character and intention of the long string of amendments which had been placed on a supplementary order paper for several days, and from which he inferred that the honorable member desired to introduce them into the Bill. When his honorable friend moved the second reading of the Bill it appeared under another name. Indeed it had several *aliases*. He then said:—

“The Bill which is now before the Council may be taken to be, *mutatis mutandis*, an exact transcript of what is called Torrens’ Act, now in operation in South Australia. That Act has been in operation since the year 1861, and I am assured, by persons of competent authority, that it has worked successfully. There is nothing, in legislation of this kind, which is so sure a guarantee for safety as the actual experimental working of the measure. It is this assurance of the successful working of the measure in a neighbouring colony, which has induced the Government to bring down this Bill in its present form, and to propose its adoption in this Colony, with some modifications.”

No one could fail to recognize the prudence and good sense of the reasons adduced for the adoption, in its entirety, of a measure of so practical a nature.

The Hon. Mr. SEWELL.—With modifications.

The Hon. Dr. BUCHANAN said he was coming to that. By the expression “some modifications,” he understood the honorable member to mean only such trivial technical alterations as were necessary to adapt it to the special circumstances of New Zealand; but, if he was not mistaken, the amendments would materially affect the principle of the Bill—if indeed they would not altogether change its character; so that, if they should be carried, it seemed to him that it would be no longer Torrens’ Act but Sewell’s Act they would have to deal with, and from what fell from the honorable member, Mr. Waterhouse, a few days ago, it appeared that he was not singular in taking that view of their effect. He made those remarks with great deference to the honorable member, for his (Dr. Buchanan) attention began to be directed to political affairs so late in life, that he confessed it was with difficulty he was able, at times, to make out how one or more sections of a Bill might bear upon preceding or subsequent ones. No doubt the honorable gentleman would easily be able to set him right if he were wrong in his ideas as to the probable effects of those amendments. One thing was satisfactory. The paternity of those amendments was now known.

It appeared from the statement of the Hon. the Colonial Secretary, on a late occasion, that they had not been adopted by the Government, but they were the offspring of the Hon. the Minister of Justice alone. It was necessary to arrive at some understanding on that point before they proceeded to legislate on so important a subject as this. Another thing was evident. The Government wished to have Torrens’ Act pure and simple, as it had been found to succeed in South Australia and elsewhere: on the other hand, one of their colleagues, if he mistook not, was about to do his best, contrary to their desires, so to improve the Bill as to render it unworkable; if, indeed, his action might not have the effect of preventing its being passed during the present session. This was a state of things which was, to say the least of it, an unfortunate anomaly. He hoped, therefore, his honorable friend would give them an explanation as to the general outline of what he wished to accomplish, in order that the Committee might come to a clear understanding on this point also.

The Hon. Mr. SEWELL said he would answer the honorable gentleman when the Council came to consider the amendments which he proposed to introduce in detail, when he would be able to give reasons which he felt assured would satisfy the Council that instead of his proposed amendments being a departure from the principle of this measure, they would be quite in accordance with it. At the same time, if the Council rejected his amendments, and passed the Bill in its present form, they would have passed a measure of a very useful character, though with some faults. The object of the Bill was to establish a system of registration of titles to land, and it might be more properly designated a Register of Titles Bill than a Land Transfer Bill. With regard to the particular modifications he was about to propose, he thought that no honorable gentleman who listened to the speech which he made in introducing the Bill, could fail to understand the nature or direction of the alterations which he desired to propose. He could assure the Council that he should not propose a single alteration which he did not point to and explain when introducing the Bill. There was one material point upon which he felt so strongly that he could not allow the measure to pass without expressing his opinion upon it. It was proposed by the present Bill that they should abolish the law of trusts. Upon that, of course, honorable members might hold their own opinion, but if they would adopt the alteration which he would propose, they would be giving effect to Torrens’ measure in a far more effective and business-like way than by allowing it to stand in its present shape. When they came to consider the clauses in detail, he would give his reasons for his amendments, and he could use that privilege which belonged to him as a member of the Council, of proposing amendments, leaving it to the Council to negative or adopt them.

The Hon. Mr. WATERHOUSE said the inquiry addressed to the Minister of Justice by the Hon. Dr. Buchanan was an extremely reasonable

one. There were no less than forty-two amendments proposed, and it was, he thought, desirable, seeing that they came from a gentleman occupying the high position that that honorable gentleman did, and likewise from the fact that he himself was the introducer of the Bill, they should have from him, in the first instance, before they proceeded to consider the amendments at all, a clear and definite explanation of what was the general scope and bearing of the whole series of amendments. He differed from the Hon. the Minister of Justice as to the effect of those amendments. They appeared to him to affect entirely the principle of the Bill; and he thought, in a clause such as that under consideration, affecting the title of the measure itself, it would be a very suitable time for considering those amendments *en bloc*. He laboured under some disadvantage in speaking upon the subject without having had an opportunity of hearing the reasons of the Hon. the Minister of Justice for all the amendments which he had introduced. The honorable gentleman had, however, told them that he considered those amendments would constitute an improvement upon the Bill. He was bound, on the other hand, to say he considered that they would interfere very materially with the principle of the Bill—that they were, indeed, in opposition to the very principle of Torrens' Act, and that the measure, if it passed, would be anything but Torrens' Act, and would be more in accordance with the designation which the Hon. Dr. Buchanan had given to it. He felt that, if the Council accepted the proposed amendments, the Bill would virtually become a dead letter, and that, at the expiration of a few years, if they were still in the land of the living, it would be for the Hon. the Minister of Justice again to come down and explain to them, as he had done with reference to a former measure, the history of its failure; and then he (Mr. Waterhouse) could imagine that the honorable gentleman could with great propriety say to them that the measure which was introduced by the Government, which was a carefully considered measure—a measure *mutatis mutandis*, the exact transcript of Torrens' Act, was successfully in operation in the other colonies; but he could imagine that it would likewise be the honorable member's duty to add that, owing to alterations effected by the Legislature, that measure had become a dead letter, and it would again be his duty to come forward and move an amendment of the law. He did not wish to mix up other matters with this subject, but at the same time, while the honorable gentleman had thrown it in his teeth that necessarily, from his being a layman, he must be ignorant of the operations of the law in many of its details, and that therefore he was not a competent authority for giving a reliable opinion with reference to a measure of so technical a nature as a Real Property Bill he would say, on the other hand, that neither could he—with all due deference to the great ability which the honorable gentleman possessed, and with great respect for the very liberal principles that actuated him as a statesman—bow down to his *dictum*, and receive

as an improvement every alteration that he suggested. It seemed to him that, in giving effect to a great measure like this, it was a great benefit to the Council that it proceeded from a layman and not from a lawyer. He was satisfied that there would have been no such measure as that in operation in Australia had the preparation of the design and the working of the measure been entirely the work of lawyers. A measure like that was in entire opposition to the principles and traditions of the legal profession, and it was absolutely necessary that the matter should be taken out of the hands of the profession in order that so great a measure should be given effect to. He heard the Hon. the Minister of Justice say "No, no." It was a matter for others to judge of between them, but he was satisfied the general opinion was—

The Hon. Mr. SEWELL.—Ten years before I preached the same thing.

The Hon. Mr. WATERHOUSE.—The honorable member undoubtedly did preach the same thing, and if the honorable gentleman wished to take the Council back to what did take place ten years ago, he would refer to his own remarks in reference to the Bill of 1861. The honorable gentleman had told them that a measure had been intrusted to his care. He said—

"I was appointed Registrar-General in 1861, and to me was intrusted the important task of framing the regulations under that Bill—regulations which, I am bound to say, have not worked successfully, for reasons which I think I shall make apparent to the Council."

He (Mr. Waterhouse) could well believe that the fact that the Act was not a success had originated from the very circumstance that an honorable gentleman who was a member of the legal profession, and who was animated by that *esprit de corps* which characterized that profession, had the initiation and the working of that particular measure, but he could not perceive that any measure of great and radical reform, striking at the very root of the profits of the profession, should receive the hearty support of gentlemen animated by the *esprit de corps* which so very properly animated the various members of the profession. He would refer to some alterations, which honorable members might think were of a trivial nature, but which, really, would be found to be vital in their character. The simple change of the word "shall" into "may" was a change of a vital character. The honorable gentleman had told them that in this measure the defects of previous legislation would be remedied—that, instead of making it facile in its operation it was proposed to take a bolder step, which the honorable gentleman thought they were justified in taking, from the success which had attended the measure hitherto. It was proposed that lands alienated from the Crown should be under the operation of the Act, but that change from "shall" into "may" had the practical effect of withdrawing all those lands again from under the operation of the Act. Half of the lands alienated from the Crown, it was true, were in the first instance to be under

the operation of the Act, but then every subsequent operation in connection with those lands would be entirely dependent upon the buyer, whether it should be under the old system or under the new one. As the new system would not be in full working order, what was more natural than that, in such cases, the person would act in accordance with the advice of his lawyer, and continue the whole subsequent transactions, upon land apparently brought under the operation of this Act, through the ordinary course now adopted in the transfer of land. He said, therefore, that the very alteration of "shall" into "may" would in that respect be vital to the working of the measure. The question of trust had likewise been introduced. He would not occupy the time of the Council by referring to that subject, except to state that it was utterly impossible—it was admitted to be impossible—to work a system of trusts in connection with such a system for the transfer of land as was sought to be obtained by the present measure. The object of persons having to leave land in the hands of trustees would be to protect their own interests, by leaving it to trustees deserving of merit, and providing for the joint signatures of the trustees appointed on their behalf. There was another change which he considered of a vital nature. By the alterations proposed by the Hon. the Minister of Justice, other instruments would convey titles to land than those which appeared upon the registry books. A certificate of title would only be evidence of all transactions in regard to the land up to the time that that certificate of title was issued. But there might be other transactions, not bearing upon the certificate of title, that had taken place subsequent to the issue of the certificate. Now, the principle of Torrens' Act was that every certificate of title should show clearly upon its face every operation in connection with the land that there could be outside the registry office—outside the registry already in operation—which should have been validated. If honorable members would carefully read the Hon. the Minister of Justice's speech, they would see that that was one of the subjects referred to by him as essential to the Bill. He understood that the amendments which the honorable gentleman sought to introduce into the Bill, were amendments which had been sought to be introduced into the Bill by members of the legal profession in Melbourne. He could well imagine that members of the legal profession should not be altogether satisfied with the Act. The amendments might, in the estimation of the legal profession of Melbourne, be improvements in the Act, but he believed it would be found, should they be inserted in the Bill, that they were anything but such. He might mention, and he had the authority of the gentleman concerned to do so, that in a visit paid to Melbourne by an honorable member of the other House, Mr. Hall, he made special inquiries there of Mr. Archer, the Registrar-General of Victoria, as to the working of Torrens' Act, and he was assured by that gentleman that it was working very well indeed; but he added that there had been some

slight alterations introduced at the instigation of members of the legal profession, which, in his (Mr. Archer) opinion, were not amendments in the Act itself. Remembering the position which Mr. Archer held in connection with the Government, perhaps that was as full a statement as could have been expected from him. He might mention, in reference to the operation of the Act in Tasmania, that some information on the subject had been placed in his hands by a gentleman who had been for some time in the lands titles office in that Colony, and he thought it was of sufficient interest to justify him in occupying the time of the Council by reading a portion of it. In a report of Mr. Tarleton, the recorder of titles in Tasmania, dated the 12th July, 1865, it was stated that:—

"The general progress indicated by the foregoing return is self-evident; but there is one feature in it to which I wish to call special attention as strikingly illustrative of the advantages of the system, namely, that 79 mortgages and 59 transfers, involving together the large sum of £85,379, have been effected at a cost to the operators of £128, or 3s. 0½d. per £100. . . . It will be gratifying to the many zealous supporters of the Real Property Act, and especially to yourself as its introducer, to learn that the experience of three years has failed to disclose any serious defects in its working, or to produce any of the evils which its opponents so loudly prophesied. 2,850 acres of town allotments, and 122,867 acres of country lands, of the aggregate value of £348,963, have now been brought under its operation, and the sum of £82,280 has been secured by mortgage under its provisions; but in not a single instance has any appeal been raised, or a threat even of litigation made, whilst one caveat only remains out-standing,—a result which well justifies the conclusion that, if worked with due caution, the Act is as safe as it is simple and economical."

In a report three years later, dated the 19th August, 1868, the same gentleman said:—

"The amount of land under the Act on the 30th June, 1868, was 3,911 acres of town and suburban and 235,849 of country land, of the aggregate value of £660,458. A total sum of £202,523 has been lent on mortgage; but of this amount, £39,231 has been discharged, leaving £163,292 still secured. Transfers giving effect to the sale of lands of the value of £94,785 have also been registered. I would particularly call attention to the fact that at least 90 per cent. of these transactions, involving such heavy sums, have been safely carried out by the staff of the department, without the intervention of solicitors, and at the mere expense to the parties concerned of the office fees. The registration fees have slightly increased during the past two years, those for '67-68 being the highest yet received, viz., £518 12s. 10d. The increased amount of land under the Act is now beginning to tell in a steady extension of transactions, and I have no doubt that henceforward the receipts of the office will steadily progress. The assurance fund now amounts to £1,400. No demand has yet been made upon it,

nor do I at present foresee any danger of claims for compensation arising against it. Under the management of able and experienced officers, to whose carefulness and diligence I am happy to bear testimony, the system has worked so easily and smoothly as to leave no room for apprehension of the past or misgiving for the future."

That was the independent evidence of an officer intrusted with the working of the Act in Tasmania. He need scarcely tell honorable members that the Act in that colony was the same which was now sought to be given effect to. Well, with such evidence before them, he thought their safest course would be to take the plan already recommended, and to adopt what was known as *Torrens' Act*, as proposed by the Government, in its entirety. If it were found, hereafter, that it needed amendments, let them then make the amendments which experience showed to be necessary; but do not let them, in the first instance, make alterations without first of all trying the Act itself. Although the honorable gentleman might give reasons for the various amendments which he sought to introduce, it was his (Mr. Waterhouse) intention to oppose them *seriatim*. He would do so out of no want of respect to the honorable gentleman, but simply from a desire to preserve the Bill in its entirety.

The Hon. Colonel WHITMORE, C.M.G., had at first agreed with the honorable gentleman who had last spoken, that the Hon. Dr. Buchanan had taken the proper course in asking the Hon. the Minister of Justice to explain any particular principle which was involved in the whole of the amendments, so that he might embody in one idea the principle of the course which he proposed to take. But when the honorable gentleman told them that it suited his views better to explain the amendments as they came on for discussion, he thought that there the matter should have been left, and that they should have proceeded with the Bill in Committee, and have allowed the honorable gentleman to have explained his views when each clause came on. It was evident that no light reason would have induced a member of the Government to separate himself, in the manner in which the honorable member had done, from his colleagues, and taken the determined stand he had done in the matter. He thought it was very ungenerous—he was almost inclined to use a harder word—that the honorable gentleman who had just sat down should have thought fit, on that and on a former occasion, to throw out as a taunt the circumstance that, in some parts of the world where *Torrens' Act* had been brought into force, the members of the legal profession were prejudiced against it. The part taken with regard to the Bill now before the House by a gentleman of that profession, he thought, rendered such remarks particularly disagreeable and invidious. He thought that, after the Hon. the Minister of Justice had declined to explain the whole of his amendments at once, the honorable gentleman might have delayed any further remarks he had to make upon the subject until the Bill in which he was interested was impeached in particulars.

For his part, there was one amendment which the honorable gentleman was likely to bring forward which he would earnestly support; and with regard to the others, he was prepared, and he thought the Council were prepared, to give the fairest hearing to the Hon. the Minister of Justice, who was taking a chivalrous course in combating the prejudices which existed against him in the matter, and who asked only a fair hearing from them. He had told them very frankly that he had taken a determined stand in opposition to the opinions of his colleagues. He would support the honorable gentleman in one of his amendments, and he thought other honorable members would do so as soon as they understood the nature of the proposals that would be made; and, with regard to the other amendments, he wished to hear what the honorable gentleman who had just sat down had to say, together with what the Hon. the Colonial Secretary had to say, as opposed to what the Hon. the Minister of Justice had to urge. He deprecated any discussion upon the Bill at that period, for he was sure those who were not members of the legal profession were not competent to give very valuable ideas upon the subject until the Bill had been very carefully explained to them, and each point considered *seriatim*. But in any discussion which might arise, he would protest against any imputations being thrown at the Minister of Justice, who stood in the Council to combat prejudices which were entertained very generally against the profession with regard to the Bill. The honorable member was entitled to an impartial hearing, and they ought not to endeavour to weaken the strength of the arguments he might bring forward, by imputing professional jealousy of the measure.

The Hon. Mr. SEWELL would not propose any alteration in the title of the Bill, although the title "*Land Transfer Bill*" did not so accurately represent the object of the Bill as the title, "*Land Registry Bill*."

Clause 45.—Amendment moved, "To prefix the words 'As against the title of any person to land, or any charge thereon, or interest therein, acquired under any registered instrument,' upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	18
Majority against	...	...	...	...	9

AYES.

Mr. Domett,	Mr. Sewell,
Mr. Gray,	Mr. Stokes,
Mr. Robinson,	Colonel Whitmore.
Mr. H. R. Russell,	

NOES.

Dr. Buchanan,	Mr. McLean,
Mr. Chamberlin,	Mr. Menzies,
Captain Fraser,	Mr. Miller,
Mr. Gisborne,	Dr. Renwick,
Dr. Grace,	Major Richardson,
Mr. Holmes,	Colonel Russell,

Mr. Johnston,
Colonel Kenny,
Mr. Lee,

Mr. C. J. Taylor,
Mr. Waterhouse,
Mr. Wigley.

The amendment was consequently negatived.

Clause 72.—No notice of trusts to be entered in register book. Instrument declaring trusts to be deposited, but not registered.

The Hon. Mr. SEWELL moved that the clause be struck out.

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:

Ayes	...	...	...	...	15
Noes	...	...	...	...	8

Majority for	...	...	...	...	7
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AYES.

Dr. Buchanan,
Dr. Grace,
Mr. Holmes,
Mr. Lee,
Mr. McLean,
Mr. Menzies,
Mr. Nurse,
Mr. Paterson,

Dr. Renwick,
Major Richardson,
Colonel Russell,
Mr. C. J. Taylor,
Mr. Waterhouse,
Mr. Wigley,
Mr. Williamson.

NOES.

Mr. Domett,
Captain Fraser,
Colonel Kenny,
Mr. Miller,

Mr. Robinson,
Mr. H. R. Russell,
Mr. Stokes,
Colonel Whitmore.

The motion was consequently negatived.

Progress was reported, and leave obtained to sit again next sitting day.

The Council adjourned at five minutes to six o'clock p.m.

LEGISLATIVE COUNCIL.

Tuesday, 16th August, 1870.

Reports—Light on the Snares—Bankruptcy Bill—Crown Grants Bill—Real Property Bill—Reciprocity Bill—Message from the House of Representatives—Gold Duty Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

REPORTS.

The Hon. Mr. SEWELL brought up the report of the Select Committee on the Married Women's Property Bill, which was read.

The Hon. Mr. DOMETT brought up the report of the Waste Lands Committee on the Gold Fields Bill, and also the report of the Committee on the Richmond Land Sales Bill, which were read.

LIGHT ON THE SNARES.

The Hon. Mr. NURSE, in asking the Government, Whether they contemplate erecting a lighthouse on the Snares, or any other of the rocks or islands on the south-west coast of New Zealand?—said he did so because he noticed that corres-

pondence had taken place between the General Government and the Governments of the Australian colonies, but that, as far as he knew, nothing definite had yet been done. Probably it was a matter which concerned Great Britain and Australia more than New Zealand, still it concerned us to some extent. Vessels passing south of New Zealand had been in the habit of going further south in order to avoid these rocks, and, as in the case of the "General Grant," had sometimes got on the Auckland Islands. Such accidents had, in addition to great hardships and loss of life, resulted in great expense being incurred: there had been three expeditions to the Auckland Islands during the last five years. He would conclude by reading a short extract from the *New Zealand Pilot*, which, after describing its size, bearings, &c., says:—

"They are an excellent landmark from the westward, and are recommended to be made as a point of departure in passing south of Stewart's Island, whereas the name they bear would deter vessels from approaching them."

He trusted the Government would give the matter its due consideration.

The Hon. Mr. GISBORNE stated that the question had been under the consideration of the Government for some time past. In March, 1869, an attempt was made by the late Mr. Balfour to land at the Snares in the "Blanche," but he was unable to do so. The object then entertained was that an examination of the Snares should be made and a report submitted, with a view to erecting a lighthouse. It was also one of the subjects which the conference that was to have sat in December last was to consider, but the conference did not sit. The New Zealand delegates did bring the matter under the notice of the Victorian Government, and there the matter stood at present. He would, however, communicate again with the Victorian Government, and see what could be done. He was afraid that the expense which would have to be incurred would be very great, in consequence, amongst other difficulties, of the difficulty of access to the islands, and their great distance from land. What the erection of a lighthouse would cost he could not tell. England and Victoria were, no doubt, more interested in the matter than was New Zealand; and, from advices received from the Australian colonies, he believed that some of them would be willing to contribute towards the erection of a lighthouse on the Snares. As he had already intimated, he would again remind the Government of Victoria of the matter, in order that some practical steps should, if possible, be taken to carry out the object in view.

BANKRUPTCY BILL.

This Bill was read a third time, and passed.

CROWN GRANTS BILL.

The Hon. Mr. DOMETT, in moving the second reading of this Bill, said he desired to state the object and circumstances under which it had been presented. In the year 1866, a Bill was passed imposing certain fees in connection with Crown

grants, the object being to compel persons to take grants out of the offices of the various Commissioners of Crown Lands, in which they had been lying for several years. The Bill imposed a fee, in respect of the custody of grants, of sixpence per month after the first three months following the time when the grants were issued. The grants received by the Commissioners were, in the ordinary course of the office work, advertised in the *Gazette*, or in the papers in the respective districts. The Act of 1866, which imposed the fees, contained only one short provision in respect to the recovery of these fees, which simply said that they should be recovered by the Commissioner by summary proceeding when they amounted to £1. Ultimately, however, it was found, when the fees amounted to £1, that difficulties arose as to who were the proper persons to pay, as, in numerous cases, the land had changed hands, and the original grantees had not taken the trouble to take up their grants, and the Commissioners, therefore, did not know who ought to be proceeded against. Regulations for these and other cases were deemed necessary, and the result was that this Bill had been framed by the Attorney-General. The first Bill originated, as he had said, in the accumulation of the grants in the offices, for the safe custody of which from fire, and he might say from water, the Government was responsible. He said from "water" because the Commissioner's office at Blenheim had been, on one occasion, flooded, and forty or fifty of the grants were spoiled, and had to be remade at the expense of the public. The fees due throughout the Colony on Crown grants now amounted to a very considerable sum, making, in the aggregate, £17,800 odd pounds. There was a clause in the Bill having reference to rights of roads reserved. It was provided by the Act of 1866 that, where rights of road had been reserved, the power for taking land for road purposes should exist for three years in respect of grants issued prior to the Act being passed, and five years so far as regarded grants issued afterwards. He understood that, in some Provinces, the right, through what he supposed lawyers would call the laches of the Provincial Governments, had not been exercised. Possibly, it might be that the Provincial Governments had been unable, from various circumstances, to exercise the right. He had inserted the clause at the request of at least one honorable member of the Council, and he believed that several honorable members of what was called another place—but which, if things were called by their proper name, he would call an ill-ventilated barn—were interested in it. Of course, it would be competent for honorable gentlemen to alter or amend it if they thought proper.

The Hon. Mr. STOKES said that he did not rise for the purpose of opposing the second reading of the Bill, but he desired to draw attention to the clause referred to by the Hon. the Secretary for Crown Lands, which was of an objectionable nature, and involved important results. Under the regulations of Sir George

Grey, in order to facilitate the selection of land, it was provided, in respect to lands purchased in any district in which the future lines of road have not been determined and laid out, that a right of road would be reserved in the grant, an allowance being made to the purchaser for such reserve varying from 3 to 5 per cent., according to the size of the block. That was in operation since the year 1852, when Sir George Grey's regulations were first published, until 1866, and it was felt to be inconvenient that this indefinite right should hang over purchasers, as it prevented them making improvements until the lines of roads were actually decided; and in the Act of 1866, as his honorable friend had explained, the term of three years for taking land for road purposes in respect of grants given prior to the Act being passed was allowed, or five years in respect of grants which were afterwards issued. A compact was thus entered into, between the purchasers and the Government, which was conclusive, and if that compact was set aside because some Provincial Government had neglected to perform its duty, a wrong would be done to the purchasers. If any Provincial Government had neglected to exercise its right, the members thereof should take the consequence of their neglect. It would, at any rate, be hard upon the great body of purchasers if their rights were set aside merely on account of the negligence of some Provincial Government. Again, if the rights of purchasers were set aside, the Act might be taken as a precedent, and the matter would be indefinitely prolonged. For those reasons, when the Bill was considered in Committee, he would move that the clause be expunged.

The Hon. Dr. RENWICK said a necessity existed in the Province of Marlborough that the provisions of this Act should be extended, as regarded the right of taking roads through lands where that right had been reserved. The Act of 1866 provided, as stated by his honorable friend Mr. Domett, that, in respect of lands where the right of taking roads had been reserved, that right should be exercised within three years of the passing of the Act. Now, the Province of Marlborough had been placed in this position: It had no funds to incur the expense of laying out the lines of roads. The provincial authorities had taken the map of the district, and from it they gazetted the lines of roads; but the Act of 1866 required that the lines of roads should be laid down by actual survey, therefore that act on the part of the provincial authorities would have no effect whatever. He might also state that the provincial authorities, by an oversight, had overlooked one property on the main line of road to Nelson, and they had not even gazetted a road through it. The question had been raised by the owner of that property whether there was a right of road, and if it was determined that there was no right of road through the property, the whole Province of Marlborough would be cut off from Nelson. It would put the Province of Marlborough to great expense if it were compelled to purchase all the rights of road through these sections. He hoped that the Council would

extend the right in question to the Province of Marlborough. That Province was now likely to be in a better position under the capitation grant; by that means it would be enabled to receive a fair share of revenue, and it would then be the better able to incur expenditure in connection with the laying out of roads through sections where rights of roads had been reserved. When the Bill was in Committee he should be glad to see the clause amended so as to restrict its operation to the Province of Marlborough.

The Hon. Mr. WATERHOUSE said that the clause referred to was one which the Council should take into its special consideration. He felt considerable difficulty with regard to it. If some provision were not made to remedy the evil which had been referred to, a great deal of inconvenience would be occasioned to the general public; but if, on the other hand, this clause were introduced, there would be a direct interference with the rights of private property—an interference which he did not think the Council or the Parliament would see its way to give effect to. The time allowed by the Crown Grants Act of 1866 expired on the 8th October, 1869. Since then a new class of proprietors had sprung up—persons who had bought land on the faith of effect being given to the Act of 1866, and had paid for it according to the actual acreage referred to in the grant. The effect, therefore, in passing the clause to which attention had been directed, would be this: that these parties would have a portion of their property confiscated, and they would have to surrender it without receiving an equivalent, although they had paid the full value of the land. That was a principle which should not be sanctioned. It was such a direct interference with the rights of property that it would be difficult to say what might be the effects of adopting it. Not only was it the case that in Marlborough and Wellington, and other Provinces, there had been a failure, on the part of the Provincial Governments, to comply with the Crown Grants Act of 1866, and that roads essential to traffic had not been declared, but there were two or three roads running through his own property which he had not closed, for if he had done so a great inconvenience would be caused to the public. The substantial merits of the case would be met by the Bill if it was provided that where there was a regular beaten track through property that should be considered to have been a road in accordance with "The Crown Grants Act, 1866."

An Hon. MEMBER.—Too wide.

The Hon. Mr. WATERHOUSE.—The proposition might or might not be too wide. He was speaking, at the present time, in opposition to his own interests, but he was also stating what he thought would be fair to the public at large. He considered that he had no right to close roads which were essential to the public welfare. The clause would have the effect of taking from *bond fide* purchasers, without giving them an equivalent in return, property for which they had paid the full value, and he therefore hoped that it would be somewhat modified.

The Hon. Colonel WHITMORE, C.M.G.,

said he desired to make a few remarks in regard to the subject matter of the Bill, and also respecting the particular clause alluded to, which, he thought, ought not to appear in the Bill. It seemed that the reserves of road lines were dealt with under the original Act, but he thought that the clause, without any injury to the Bill, might have been omitted. The Council should endeavour to fix some limit in regard to accruing fees upon Crown grants, which those persons were subject to who had to take up grants. It might be, indeed he believed it had been the case, that, in many instances, persons had not been aware of the completion of their grants, and, although it had been stated by the honorable gentleman that the grantees were to receive personal notice, still, many obstacles might intervene, and had intervened, and it would be a very hard case that the fees should be allowed to increase to a considerable extent without the knowledge of the grantee. If some limit were fixed, he should have no objection to that part of the Bill. With regard to the right of taking roads, it must be remembered that reference was only made with regard to those rights of roads which were virtually purchased from the proprietors of land under Sir George Grey's principle. When the possessor of land had received an increase of 5 per cent. on the land which he had purchased, he thought it would be most unreasonable that the Government of this country should have to pay for whatever land was taken for roads. Of course, there was force in the argument that the matter could not be deferred until it was the pleasure of the Provincial Governments to survey the roads. Provision might be made to indemnify proprietors for any injury which might be caused to their fences by the making of any road, and to enable the Government to take land without being subject to any charge whatever. To those parts of the country where the rights of roads had been laid off, and where sections had been granted without rights of road, this Act, of course, would not apply, and he presumed that Marlborough and Wellington, and the lands which had been sold for five shillings an acre in the North Island, were the only parts of the country which were affected by this Bill. In his own district roads had been laid off; but a large portion of the Province had been granted without surveys having been made, and, unless some steps were taken by the Legislature, the Government would hereafter be compelled to pay a high valuation for the actual land through which they made the roads. He should reserve to himself the right, when in Committee, to make the alterations he deemed necessary. He should not oppose the second reading of the Bill.

The Hon. Captain BAILLIE said he also thought the clause should not be allowed to stand exactly as it had been framed; but if it were rejected without any reservation being made in connection with the Province to which he belonged, he feared a great deal of injury would be done to the public. With respect to the question of fees, referred to by the honorable and gallant member, Colonel Whitmore, he thought

it was necessary that there should be a sort of accruing fine in reference to Crown grants.

The Hon. Mr. MENZIES said he agreed with the honorable gentleman in thinking that there should be some limitation in regard to the fines mentioned, and he therefore hoped a limitation would be fixed. With regard to the last clause, he would vote for its being struck out. It should not be inserted in any Bill. The Provincial Governments ought to be in position to have all the roads throughout the country laid out when it was trigonometrically surveyed and before the land was sold, or, under any circumstances, before it was surveyed into sections, so as not to require such consideration as a clause of this kind would give. In addition to that, there was another Act in operation,—the Provincial Compulsory Lands Taking Act,—which, when an urgent case arose, would enable the Provincial Governments to take the land they required. This might not be the only Bill which would be brought before the Council in which a clause of the nature of the one referred to would be introduced. He hoped it would be struck out of this Bill, and he trusted that no Bill containing such a clause would ever be passed by the Council.

The Hon. Mr. McLEAN said he could not agree with all that had been stated by the honorable gentleman who had last addressed the Council. A limit could be fixed by removing the Crown grant. Regarding the question of the Government being called upon to take charge of the Crown grants, he really thought the charge was almost as low as it possibly could be. So far as the question as to the reservation of the rights of roads was concerned, he thought some limit should be fixed, because, as long as the right was held by the Crown, the rights of the proprietors of property might be interfered with. A period ought to be stated within which the Government should have the power to exercise this right, or else the power should be altogether withdrawn.

The Hon. Mr. PATERSON remarked that he hoped care would be taken that individuals for whom grants were prepared should be duly informed when they were completed, and that they should then be called upon to take them up. A short time ago he expected a Crown grant to be issued in his favour, and he was ready to take it up. He called at the Crown grant office several times, but the grant was not completed on any of the occasions on which he called. He received no notice of its completion, but when he finally obtained it, because it had been left in the office for a time longer than was allowed by law, he was called upon to pay a fee. It was small, indeed, but it might not be so in every case, and he thought care should be taken to inform grantees regarding the completion of their grants, by some notice in addition to a mere announcement in the *Gazette* or newspapers, which some persons might never see. A special notice ought to be given to each individual when his grant was completed, and also intimation that if it were not taken up within a certain time, a fee would be charged. In that case no blame could be attached to the office for

neglect, and all ground for complaint would be removed.

The Hon. Mr. DOMETT said he did not see there was much reason for the objection which had been urged in regard to the amount of the fees. The fees, in any case, whatever the amount of the land in the grant,—often thousands of acres,—in twenty years could only amount to £6. Under such circumstances, it must be supposed that if a grantee became liable to pay this maximum, he must have been indifferent about the grant, otherwise he would not have permitted it to remain in the office for so long a period. With respect to the question of notice, it was now provided that an intimation should be sent to every individual when his grant was ready. It might be said, however, in regard to the grants, that the Provincial Governments, who had the preparation of them, and on whom the quickness or slowness of issuing them depended, had, in many instances, exhibited great dilatoriness in preparing them. The General Government had no power to meddle with the provincial survey offices, upon the officials connected with which department depended the drafting of the grants. In cases where the issuing of grants had rested with the General Government, steps had been taken to have them completed without delay. With respect to Westland, for instance, he had himself inserted a clause in the Waste Lands Bill, which had been generally assented to by members, to the effect that grants should be prepared within one month of the sale of the land, or of the survey being made. So, when Southland came under the General Government for a few months, he had furnished the Commissioner with ample instructions for getting arrears of grants worked off by contract; but the Provincial Government resumed its authority, and nothing was done. The General Government were, therefore, fully aware of this grievance, and that it was partly on that account that the grants had not been taken up, because many people, when they went to the Crown grant office and found that their grants were not completed, did not apply again, perhaps, for a considerable time. That was a grievance, but it could be remedied by the Provincial Governments insisting upon the proper carrying out of the work in the provincial survey offices. He did not think, however, that the fee, on that account, should be removed, because it was the only means they had of compelling persons to take up their grants when they were completed, most of whom neglected to do so though they knew they were completed. With respect to the right of roads, he was quite willing to accept any amendment the Council might wish to make; indeed, he did not particularly object to the rejection of the clause altogether.

The Bill was read a second time, considered in Committee, reported with amendments, and the third reading fixed for the next sitting day.

REAL PROPERTY BILL.

This Bill was further considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

The Hon. Mr. DOMETT moved that the Bill be committed after order of the day No. 3.

The Hon. Colonel WHITMORE, C.M.G., moved as an amendment that the Bill be committed presently.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following results:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	14
					—
Majority for	...	...	...	...	2
					—

AYES.

Captain Baillie,	Mr. Miller,
Mr. Bonar,	Mr. Pillans,
Mr. Chamberlin,	Dr. Renwick,
Mr. Domett,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Mr. Gray,	Mr. C. J. Taylor,
Mr. McLean,	Mr. Wigley,
Mr. Menzies,	Mr. Williamson.

NOES.

Dr. Buchanan,	Mr. Paterson,
Captain Fraser,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Robinson,
Mr. Johnston,	Colonel Russell,
Colonel Kenny,	Mr. H. R. Russell,
Mr. Lee,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.

The amendment was consequently negatived, and the motion agreed to.

RECIPROCITY BILL.

ADJOURNED DEBATE.

The Hon. Mr. PATERSON could not see any necessity for this Bill. The title of the Bill was altogether a misnomer in so far as its provisions were concerned; indeed, he failed to see in it any provisions whatever in the direction of reciprocity. It was true that a power was given to the Governor in Council—which, it had been very justly remarked, simply meant the Colonial Treasurer,—to do certain things, and to enact certain regulations, but there was no provision that they should necessarily be of a reciprocal character. It seemed to him as somewhat absurd to pass a Bill which they all knew could not be brought into operation, and must practically remain a dead letter. It was admitted that those with whom we proposed to deal were bound in such a way as to be unable to meet us in the way proposed, even if they were willing to do so. The restrictions laid upon the Australian colonies by the Imperial Government, forbade them from taking any action in the direction of the ostensible objects of this Bill. It would have been a much more business-like transaction if the Government had proposed to the Legislature some such resolution as that which had been adopted by the late conference, referred to by some honorable members, calling upon the British Government to remove the restrictions which had been imposed upon the Australian colonies. If that had been done, and time had

been allowed to see what course the British Government would take in regard to relaxing the present restrictions, either altogether or to some extent, the Assembly would have been in a position to pass an Act in conformity with the new law, which could have been brought at once into operation. The proposal that the Bill should not come into operation until it had received Her Majesty's assent, would, no doubt, to a certain extent prevent it being acted upon until it can be done so fully as a reciprocal measure; but it would not bring it into force any sooner than if a resolution such as he had mentioned had been passed. He thought, therefore, that it would be well to withdraw the Bill and to substitute such a resolution. He could not see that there was any pressing necessity for the Bill. The only article which had been referred to as likely to be immediately affected by the measure was Australian wine, which some persons desired should be introduced at a reduced rate. He thought that was an object which it was scarcely worth their while to go out of their way to accomplish. There was no provision in the Bill for admitting those wines at a differential duty. It was enacted in one clause that the Governor in Council might say what goods should be admitted duty free, or at a reduced duty from that which might be in force at the time. In a subsequent clause it was provided that if the article was not to be admitted altogether duty free, the duty to be exacted should be that which was then in force. The meaning of that was that the present duty should be payable in full unless the Governor declared that the article should be admitted free. He could not help noticing a remark which had fallen from his honorable friend Captain Fraser, to the effect that the wines which were in use in the Colony were poisonous trash. Such a statement ought not to be allowed to go forth unchallenged, as it was quite well known that plenty of really good wine could easily be obtained in New Zealand as well as elsewhere. It would be a bad policy to forsake our present wines and throw ourselves upon the mercy of those who sent us Australian wines, for, as far as his experience went, Australia was the worst place on the face of the earth for the adulteration of articles of every kind. Wine had its value, as well as everything else, and those who wished to obtain a good article must pay a good price for it. He thought that the Bill should not be allowed to pass, as he could not see that it would have any good effect even if it were brought into operation, and as that was not to be done until Her Majesty's will was known, he saw no use for the measure at all, and would therefore vote against it.

The Hon. Colonel WHITMORE, C.M.G., wished to say that although his objection to this Bill had been met by the expressed intention of the Government to reserve it, still—

The Hon. Mr. LEE rose to order. He would ask whether it was competent for the honorable member to speak now, as he had already done so.

The Hon. the SPEAKER said that as the honorable member had withdrawn his amend-

ment, he was in order in speaking to the main question.

The Hon. Colonel WHITMORE, C.M.G., had a strong objection to clause 3, which would not be met by any amendment which he had heard proposed. It was not only a one-sided bargain which was proposed by the Bill, but it was a bad principle to leave to the Governor in Council, as proposed by this clause, the duties which properly devolved upon Parliament, and, therefore, he could not support the Bill unless some radical modification was made in that respect. He should vote against the second reading of the Bill unless he was led to suppose that in clause 3 there was a disposition to allow of an alteration, reserving to Parliament the right of fixing the duties. He might remark that Mr. Cobden could only recommend to the Queen to take a certain course, and that was all that the Colony could do.

The Hon. Mr. GISBORNE said that the objections against the Bill seemed to divide themselves into two classes—first, as to any possible advantage which might accrue from the passing of the Bill; and, second, the legal position of such a measure. He thought that the advantages were twofold—they were of a political and of a commercial character. The political advantages were far beyond what his honorable friend Mr. McLean seemed to imagine—the sphere of mere wine and beer. He thought it was a great political advantage—and if this Bill became law it would have that tendency—to unite Australasia, and knit together those colonies into one great nationality. He sympathized in the aspirations of his honorable friend Mr. Domett, in so far as they were directed towards the possibility of England being the great living centre of a great Anglo-Saxon federation. When he looked at the characteristics of our race, and the principles of our constitution, he felt that such a consummation would be a most material guarantee for industrial progress, for the security of life and property, and for the extension of civil and religious freedom throughout the whole world. Therefore it was that our legislation should tend in that direction. The Government had, during the recess, under the powers which the Legislature gave them, reduced the postage on letters between New Zealand and Australia, and he thought that this Bill would be a proper sequel to that action. With respect to the commercial results of this measure, he felt rather in a dilemma, because his honorable friend Mr. Johnston and his honorable friend Mr. McLean found fault with it upon diametrically opposite grounds. His honorable friend Mr. Johnston said, "This Bill violates the sacred principles of free trade;" "but," said his honorable friend, Mr. McLean, "under this Bill we shall be flooded with Australian wines: what will then become of our New Zealand whisky?" The Bill was, on the one hand, objected to as being a protective measure, and it was objected to on the other hand as being a free trade measure. He saw by the late news from Auckland that, at a meeting which was held there, many persons seemed to sympathize with his honorable friend Mr. McLean, that this

was a free trade measure. Those gentlemen in Auckland, who were horrified at any semblance of protection being given to the agricultural interest in the Middle Island, inconsistently exclaimed that if this Bill were passed the rising manufacturing interests of Auckland would be destroyed by the influx of Australian imports. He was reminded of the lines referring to those who—

Compound the sins they are inclined to,
By damning those they have no mind to.

When, therefore, he saw that this Bill was opposed on such conflicting grounds, he had reason to hope that it had really struck the golden mean which avoided either extreme—the highest merit in legislation and the surest presage of its future success. The very object of the Bill was to create and to foster local industries. At the present time wine and beer were the chief commodities affected, but if the restrictions of the tariff were once relaxed, the seeds of trade would spring up as if by magic, and would vegetate and cover with fertility what now appeared to be altogether a barren waste. Left to their natural course, the appetite of demand and the power of supply would act and react upon each other, and would soon create that commerce which, like mercy, was—

Twice blessed:

It blesseth him who gives and him who takes.

If it could be shown that this Bill was likely to encourage local industries, a good ground was made out why it should be passed. No one could feel more than he did the importance of that encouragement. He believed that the establishment of many local industries was essential to the progress of this community, and would build up and secure the greatness of the Colony as a nation in the future. It could not be expected that every man would be adapted to agricultural or pastoral pursuits, and if there were not other pursuits in which the people could engage, the national force would be wasted: it was the multi-form variety of local industry which was so necessary to the progress of any young country. He was told that this Bill would be a dead letter, because it could not be acted upon until the Australian Legislatures were allowed by the Imperial Parliament to reciprocate our overtures, but some one must make the commencement. Were we to wait indefinitely, like the principals in the old rhyme—

Sir Richard Strachan,
With his sword drawn,
Stood waiting for the Earl of Chatham;
The Earl of Chatham
Still longing to be at him.

Surely one of the colonies must commence, and be allowed to legislate, before the concurrence of all could be obtained. He was glad to see, and his honorable friend Mr. Johnston had proved it, that the Australian Governments were not at all unsympathetic in this matter. The honorable gentleman quoted a resolution which was agreed to, which recognized that the importance of moving in respect to this question was so great that the Home Government should be memorialized to remove the existing restrictions with regard to

reciprocity. So long ago as 1867 the Tasmanian Legislature passed a Bill to promote intercolonial free trade, of which the present Bill was almost a copy. That Bill was not assented to, simply on the ground that there was a peculiar restriction which prevented the Australian Legislatures from imposing differential duties. When the conference was proposed by the late Premier, Mr. Stafford, so long ago as 1868, that was a subject which was to be considered, namely, "the free interchange between the Australian colonies and New Zealand of certain of their products." What was the answer from two of the colonies—an answer in which the other colonies concurred? He found, in the Appendix to the Journals of the House of Representatives for 1869, that the Colonial Secretary of New South Wales stated, in a letter dated the 4th December, 1868:—

"This Government is fully alive to the advisability of some legislation being initiated, as suggested by you, for establishing a free interchange of products between the Australian colonies and New Zealand respectively. Acknowledging, therefore, the great importance of the step recommended by your Legislature, as well as the necessity for immediate and united action being taken to overcome the obstacles which stand in the way of permanently securing an object so desirable, I shall invite the Governments of the other Australian colonies to express their opinion upon the advisability of adopting the suggestion for a conference of delegates to consider—(1) The introduction of free trade in intercolonial products; and also, (2) a uniform tariff; and (3) a union of customs."

The Chief Secretary for Victoria stated in a letter dated 12th December, 1868:—

"The Government of Victoria is fully alive to the importance of the questions proposed to be dealt with, and is especially anxious that the most advantageous relations may be established between all the Australasian colonies in reference to customs duties, facilities for the intercolonial trade, postal service, and ocean lights."

It was clear, therefore, that there was a strong reciprocal desire in the Australian colonies to unite with us in the direction proposed by the Bill. With respect to the legal aspect of this Bill, he would merely state what he had said before, that we are not subjected to the restrictions which prevailed in Australia. If it were otherwise it was obvious that the Assembly could not pass such a Bill. The only clause which related to our legislation in the matter was the clause in the Constitution Act which had been so often quoted, to the effect that the General Assembly might not pass Bills which were inconsistent with treaties concluded by Her Majesty. It was a mistake to suppose that this Bill was inconsistent with the French treaty of 1826. He had looked at that treaty, and he found that it was to the effect that French merchandise imported in French ships into any British colonies should not be subject to a higher duty than the same merchandise when imported into any of the colonies in British ships. That provision was, of course, aimed at the navigation laws. It waived the privilege given to British ships, so far as

France was concerned. It was obvious that such was the meaning, because he found that, for many years subsequent to that treaty, the Australian colonies passed Acts imposing large differential rates as between British and foreign goods. In New South Wales, in 1839, the Act separating Van Diemen's Land from that colony provided that all produce and manufactures of Van Diemen's Land should be exempt from duty on importation into New South Wales. The New South Wales Customs Act of 1840 imposed a duty of 9s. a gallon upon English spirits, and 12s. a gallon upon foreign spirits; 10 per cent. *ad valorem* on foreign goods, while English goods, except spirits, wine, tea, sugar, flour, and tobacco, upon which certain duties were imposed, were free. In 1844 it was part of the South Australian tariff that there should be levied upon all goods, wares, &c., not otherwise charged with duties, the produce, &c., of the United Kingdom and British possessions, 5 per cent. *ad valorem*; and on all foreign goods, &c., not otherwise charged with duties, 10 per cent. *ad valorem*. Those Acts went home, where they were in due course subjected to minute criticism by the customs authorities and the Board of Trade, and they were allowed, which was sufficient proof that the French treaty of 1826 did not prevent the imposition of any such differential duties as were now proposed, or the remission of duty upon certain articles. It had been said that the tendency of this Bill was to separate the Colony from the United Kingdom. He totally denied that, and affirmed that it was of altogether a different character. What was the present state of the relations between England and her colonies? England said, "We do not wish to interfere with your domestic relations; we do not wish to be responsible for the internal security of life and property within your boundaries." If, however, it was to be held that England was at the same time to say, "We shall regulate your commerce by making treaties upon which you are not consulted, and of which you have probably no knowledge, with foreign powers,"—if that was to be the doctrine laid down on the relationship between England and her colonies, he must say that it would directly tend to the disunion of the two parties. It was proposed by this Bill to bring that subject under the consideration of the Home Government, so that the cause of discord and division might be removed, because it was not calculated to tend to harmony that Australia and New Zealand, which were so rapidly rising into prosperity and greatness, should be restricted in regard to their domestic commerce, as between themselves, and that a state of things should continue in which it depended upon the Imperial Ministry of the day to decide, by treaty with a foreign power, as to what tariffs were valid or not. The whole tendency of the Imperial policy was in a contrary direction. The Imperial Government had not objected to Victorian legislation when protective duties were placed upon imports from Great Britain, and he did not think it was likely to interpose any serious obstacle when it was desired

that the treaties between England and foreign powers should not be adhered to by the Australian colonies. With respect to the observations of his honorable and gallant friend Colonel Whitmore upon clause 3, he could only say that the object of the Bill was, that upon any reciprocal action by any Australian Government, we should be able to give our *quid pro quo* by remitting the duty upon certain of their articles. Of course, we were not going to remit duties upon their articles which were likely to interfere with our local industries, and they would probably act upon the same principle. But there were articles for the production of which each country was adapted, and it was important, for the sake of those industries, that the duties should be reduced, and, in some cases, altogether taken away. The amendment of his honorable friend Mr. Waterhouse, which was accepted by the Government, would provide that such remission should be made only upon the principle of reciprocity. That was not provided for in the Tasmanian Act, but he saw no objection to such a provision. He did not believe that any member would be able to show how it was possible that, from time to time, such reciprocal remission should be made, unless the power to do so was lodged in the Executive authority of the Colony. That was the principle of the Tasmanian Act, and of the Canadian Act also.

The Hon. Colonel WHITMORE, C.M.G.—No.

The Hon. Mr. GISBORNE was speaking of Canada before it was formed into a dominion. Nova Scotia and the other North American colonies were in the same position to each other that New Zealand was to Australia. At that time it was thought desirable that a Bill of this kind should be passed, and an Act was accordingly passed to allow the Governor in Council to remit the duties from time to time. Looking at the political advantages of this Bill, at its commercial advantages, at the advantages which would result from an exact definition of the restrictions which we might be under, and at the Canadian and Tasmanian precedents, he thought that the Council would consider it desirable that a Bill of this kind should be passed by the Legislature. He should be prepared, in Committee, to move the insertion of a clause which would have the effect of reserving the Bill for Her Majesty's assent. The question, then, was of no trifling importance, because it raised points affecting the relations of the empire to her colonies. It was a question which most seriously affected our own local industries and manufactures, and the trade between ourselves and our neighbours, as well as the possibility of confederating these colonies in union with, and in due relation to, the United Kingdom, and, therefore, one upon which it was highly desirable that action should be taken.

The Hon. the SPEAKER desired to say that he was in error in his ruling a short time previously. He saw, on reflection, that a member who moved an amendment could not speak again, even though the amendment was withdrawn.

Question put, "That the Bill be now read a second time," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	20
Noes	...	...	...	...	10
Majority for	...	...	...	...	10

AYES.

Captain Baillie,	Mr. Pillans,
Mr. Bonar,	Dr. Renwick,
Dr. Buchanan,	Major Richmond, C.B.,
Mr. Domett,	Colonel Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Mr. Holmes,	Mr. C. J. Taylor,
Colonel Kenny,	Mr. Waterhouse,
Mr. Lee,	Mr. Wigley,
Mr. Menzies,	Mr. Williamson.

NOES.

Mr. Chamberlin,	Mr. Nurse,
Mr. Gray,	Mr. Paterson,
Mr. Johnston,	Mr. Robinson,
Mr. McLean,	Mr. H. R. Russell,
Mr. Miller,	Colonel Whitmore.

The Bill was then read a second time, and considered in Committee.

IN COMMITTEE.

Clause 3.

The Hon. Colonel WHITMORE, C.M.G., moved the addition of the following words :—
"Provided that in all cases the Treasurer of the Colony shall, within seven days of the next meeting of the Assembly, introduce a Bill authorizing such alterations of duties, and that such alterations shall cease to have effect three months after the meeting of the Assembly, unless such Act shall pass both Houses of the Legislature and receive the sanction of the Governor."

Question put, "That the words proposed to be added be so added," upon which the Committee divided, with the following result :—

Ayes	...	...	...	...	5
Noes	...	...	...	...	17
Majority against	...	...	...	...	12

AYES.

Mr. Chamberlin,	Mr. H. R. Russell,
Mr. Johnston,	Colonel Whitmore.
Mr. McLean,	

NOES.

Captain Baillie,	Mr. Menzies,
Mr. Bonar,	Mr. Miller,
Dr. Buchanan,	Dr. Renwick,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Dr. Grace,	Mr. C. J. Taylor,
Mr. Holmes,	Mr. Waterhouse,
Colonel Kenny,	Mr. Williamson.
Mr. Lee,	

The motion was consequently negatived.

The Bill was reported with amendments, and the second reading fixed for next sitting day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received a message from the House of Repre-

sentatives, stating that they had given leave to the Hon. Mr. McLean to attend the Select Committee on the Native Reserves Bill, if he should think fit.

GOLD DUTIES BILL.

This Bill was further considered in Committee, reported with amendments, and the third reading fixed for Tuesday.

The Council adjourned at half-past ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 16th August, 1870.

Wellington Gas Bill—New Member—Public Accounts Committee—Public Petitions Committee—Married Women's Reversionary Property Bill—Waste Lands Committee—New Zealand Cross—Nelson Waste Lands Bill—Hawke's Bay Renewal of Licenses Bill—Immigration and Public Works Bill—Message from the Legislative Council—Sales for Non-payment of Rates Bill—Payments to Provinces Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PRIVATE BUSINESS—WELLINGTON GAS BILL.

Mr. CARLETON brought up the report of the Private Bills Committee on the Wellington Gas Bill, which was read, and ordered to lie on the table.

NEW MEMBER.

Mr. WILLIAM SEFTON MOORHOUSE took the usual oath and his seat for Christchurch.

PUBLIC ACCOUNTS COMMITTEE.

Mr. HALL brought up a report of the Public Accounts Committee, which was read, and ordered to lie on the table.

Mr. FITZHERBERT, with the consent of the House, moved, That the quorum of the Committee on Public Accounts be reduced from five to three during the remainder of the present session. He said that very important questions were, from time to time, referred to this Committee, and that, owing to a large number of its members being on other Committees, it was found that the work of the Committee with the present quorum was very much impeded.

Motion agreed to.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee, on the petition of John Wood; of certain inhabitants of the Province of Canterbury; and of A. S. Dreyer; which were read, and ordered to lie on the table.

MARRIED WOMEN'S REVERSIONARY PROPERTY BILL.

Mr. RICHMOND brought up the report of the Select Committee on this Bill, which was read, and ordered to lie on the table.

WASTE LANDS COMMITTEE.

Mr. LUDLAM brought up the report of the Waste Lands Committee on the petition of certain settlers of Tuapeka district; Water Rights Bill; Hawke's Bay Renewal of Licenses Bill; and Nelson Waste Lands Bill; which were read, and ordered to lie on the table.

NEW ZEALAND CROSS.

Colonel HAULTAIN asked the Defence Minister, Whether any land has yet been reserved for the endowment of the New Zealand Cross, in accordance with the Act of 1869? Last year an Act was passed by the Legislature, providing that a certain portion of land, not exceeding 5,000 acres, should be set apart as an endowment for pensioning the recipients of the New Zealand Cross. He had not noticed in any *Government Gazette* that such reserve had been made. He thought it was possible the matter had escaped the attention of the Government, and he therefore asked the question.

Mr. McLEAN replied that instructions had been given to set apart a block of confiscated land, consisting of 2,500 acres, on the West Coast, of fair average quality, but it had not yet been surveyed. A block of 2,500 acres would be selected in some part of the Province of Auckland, so that the selections of land would be in two different parts of the Colony. The matter had not escaped the notice of the Government, the delay in the completion of the survey being the principal cause of the reserves not having been gazetted.

Colonel HAULTAIN asked the Defence Minister, Whether he has any objection to place on the library table for a few days, for the inspection of honorable members, the roll-book of the New Zealand Cross? He thought the matter of the New Zealand Cross was one in which honorable members had not sufficient interest. It was desirable that interest should be taken in it, and he thought that might be excited, in some degree, if the roll-book containing the names of the recipients of the decoration were laid on the table of the library for a few days.

Mr. McLEAN replied that the Government had not the least objection to lay the roll-book on the table of the library for a few days. It would be placed there next day.

NELSON WASTE LANDS BILL.

On the motion of Mr. CURTIS, this Bill was ordered to be committed next sitting day.

HAWKE'S BAY RENEWAL OF LICENSES BILL.

On the motion of Mr. McLEAN, this Bill was ordered to be committed on Thursday.

IMMIGRATION AND PUBLIC WORKS BILL.

The House went into Committee to further consider this Bill.

Clause 25.—Governor, on request of Superintendents of Provinces, may construct works for supply of water to gold field.

Mr. VOGEL said the Government proposed to add two new sections after this clause, enabling the Government to have careful surveys made, similar to those in connection with the railways. The question of supplying water to the gold fields was one of exceeding difficulty. The Government would find it more difficult to administer this than any other part of the Bill; because it was not only a question of how the water was to be brought in successfully, but also whether the country was sufficiently auriferous to make it desirable to bring in the water. An amendment had been suggested by the honorable member for Grey and Bell, to add, after the word "Superintendent," the words "and Provincial Council." The Government were inclined to accept that amendment, as it would secure larger ventilation to any proposal for the supply of water than it would receive if left merely to the Superintendent of a Province. He would propose the amendment.

Amendment agreed to, and clause as amended agreed to.

Clause 26.—Out of the moneys authorized to be raised under the said Loan Act, and made applicable to waterworks, there may from time to time be issued and expended in or about the constructing, purchasing, completing, extending, repairing, and maintaining any such works, or any such drains, dams, water-races, or reservoirs, as in the last section mentioned, any sum or sums not exceeding, in the whole, three hundred thousand pounds, during the period of years next ensuing the passing of this Act.

Mr. FITZHERBERT asked whether it was the intention to place any limitation to the expenditure of the £300,000, similar to that placed on the expenditure of £400,000 for roads in the North Island and £400,000 for railway purposes in the South Island. Was it intended, for instance, to expend £100,000 during a year, or the whole sum during any year? Was there to be a limitation in point of time, or in point of area, for instance, as between Provinces? He thought it was well the Committee should be informed of the intention of the Government in that respect.

Mr. VOGEL said the clause contained no further limitation than that the £300,000 should be expended "during the period of years," as might be agreed upon after framing the Act. He should be willing to see the expenditure limited to £100,000 a year.

Mr. FITZHERBERT thought that would be a very prudent limitation. He could easily imagine the ticklish character of this expenditure, and that the Government would really require to have some experience before they entered too largely into the work. He understood the question of whether a particular country was sufficiently auriferous to justify the expenditure on the introduction of water supply was provided for by the question of surveys. He had been told, by a very good authority, that an enormous expenditure had been incurred in California on works which were now valueless and useless. He thought the proposed limitation in the distribution of the expenditure would be desirable.

Mr. MERVYN said that no doubt the works constructed in California were not so valuable at the present time as when originated, but it must be borne in mind that, for a number of years, they had yielded largely to the revenue. He believed the estimate was 25 per cent. per annum on the original outlay. They must expect that, at the end of a series of years, the works would not be so valuable as when originally constructed, and when the gold fields were in their youth and vigour. In one part of the Province of Otago the preliminary surveys had been made in order to bring water to the Tuapeka gold fields. From his experience and knowledge of the locality, he could say that if water supply were introduced, at an expenditure of £20,000, the consequence would be a large addition to the population, and not only so, but those who were now in that locality would be kept there for a greater length of time. He quite agreed, however, that it would be very undesirable for the Government to go largely into this question of water supply to the gold fields without feeling their way. The measure ought to be of a purely tentative character, and he believed that, in certain districts, it would be found highly reproductive.

Mr. O'NEILL considered that £100,000 would be a very small sum to spend on waterworks over the whole Colony, and that the amount should be increased to £150,000. It was possible, by spending too small a sum on works of this character, they might prove to be of very little value. They required large reservoirs to be constructed, which would cost a considerable sum of money. It had been shown by Dr. Hector, who was considered to be a very high authority, that there were from 15,000 to 20,000 square miles of auriferous country in the Southern Island, and the greatest difficulty which had been experienced in the working of those gold fields had been the want of water. He believed it would be necessary to expend a larger sum than that stated by the Colonial Treasurer on the supply of water to the gold fields, if any money was to be expended at all on such works. It was very unwise to attempt to construct works which could not be carried out successfully.

Mr. CARRINGTON said that, from his knowledge of these matters in California, he could state that waterworks in that country, when they were first formed, paid high dividends—as much, in some instances, as 100 per cent. at first; but the profits afterwards fell off, in some cases, to nothing. The cost at which water was supplied from flumes and races to various diggings, when he was in California from 1852 to 1856, was a dollar an inch, and he had known water to be brought a distance of forty miles. The cause of the decrease in the value of these waterworks was attributable to the fluctuating character of the population. In some districts, where there were formerly ten thousand diggers, there were not, at the present time, more than fifty people residing.

Amendment proposed, That after the word "expended" the words "or contracted for" be inserted. Agreed to.

Further amendment proposed, That the following words be omitted, "during the period of six years next ensuing the passing of this Act."

Mr. BARFF thought that if the money were spent in small sums it would not have the same beneficial effect as if it were spent on larger works. He thought that £100,000 would not be enough to supply water to the various gold fields in Otago, Nelson, and Auckland. In places where the works were nearly all of an alluvial character, and the water had to be brought from a great distance, a large expenditure must necessarily take place. He trusted that the Colonial Treasurer would not press this amendment, but that it should be left to the Government to expend the whole or any part of the money during the first and second years, or to expend it in such sums as might be considered desirable.

Mr. VOGEL said it appeared to him to be undesirable to rush through the whole of the money proposed to be granted by the clause. If the works were to be proceeded with, and the money were to be placed in the hands of the Government, the amount he had named would be sufficient for all necessary purposes during the year. The clause referred only to borrowed money. The next clause referred to works to be carried out by private enterprise, with money to be obtained by means of guarantees or subsidies. He hoped the Government would not have to spend the whole amount of the borrowed money, and that those who participated in the benefit to be derived from the expenditure would readily participate also in the risk. Not only had the Government felt great difficulty in dealing with this matter, but even the gold fields members themselves had experienced difficulty in recommending what the Government should do. He could not advise an increase in the amount proposed to be expended.

Mr. W. H. HARRISON quite approved of the restriction which the Government wished to insert in this clause, not because he wished to see the amount to be expended in supplying water to the gold fields restricted, but on account of the risk which attended undertakings of that kind. A railway might not be a paying speculation, but it was of some use even if it did not pay. It was a very different thing in regard to waterworks on gold fields. They might secure a large supply of water, and the means of making that supply permanent or profitable might fail when they least expected it. The risky nature of undertakings of this kind was sufficiently proved by the indisposition of large capitalists to embark in them to any considerable extent. He did not think that any great harm would result from the restrictions which the Government intended to place on the expenditure of this money, nor did he think it would have the effect of crippling the operations of the Government in assisting public or private companies.

Mr. RICHMOND was quite delighted to find the Colonial Treasurer coming over to his side of the House, and deserting the proposal which he originally made. He wished to press upon the honorable member's attention an observation which he (Mr. Richmond) made in a former

debate respecting guarantees. In this matter of water supply to gold fields, it was more particularly desirable that the aid of the Government should not be given in the shape of a guarantee, in the ordinary sense of the word, but rather in the shape of a positive gift, either of a sum of money or of an annual contribution towards interest, leaving the profits of the speculation to be a matter completely open to those who entered upon it. That is to say, supposing any capitalists should be found willing to undertake the work, that Government should give them, say, 3 per cent. on a specified capital, and that such contribution should not cease in the event of the profits of the undertaking rising to a certain point, but it should be a positive and absolute gift, leaving all inducements to economy in all matters relating to the construction and management of the works to those who undertook them. If this scheme should ever ripen into any practical shape, he hoped the Government would look into this question of guarantees, as the mode in which the guarantees were carried out would not only materially affect the burdens of the country but the success of the enterprise. If the plan he suggested were adopted, no works would be undertaken unless there was a probability of a profit being derived from them, which those who undertook the work would have to ascertain for themselves. He thought that the object of the Government would be best attained by making a small contribution, say to the extent of one-half the amount of interest named in the clause, leaving the profits which might arise entirely in the hands of the contractors, although they might exceed the proposed amount of 6 per cent.

Mr. VOGEL.—I understand the honorable member to propose that we shall guarantee half the amount of interest?

Mr. RICHMOND.—Not so much a guarantee as a positive contribution, leaving the profits in the hands of the contractors.

Mr. BARFF said, with regard to the waterworks which had been undertaken in California, that they were of a speculative character in their early stages, and were undertaken with the co-operation of the miners, but that would never be the case in New Zealand.

Amendment proposed, That the following words be inserted, "Not exceeding £100,000 in any one year."

Mr. O'NEILL moved that the amount be increased to £150,000.

Mr. HALL hoped the Government would not consent to that amendment.

Mr. MERVYN suggested to the honorable member for the Gold Fields (Mr. O'Neill) that he should withdraw his amendment. At the same time, he wished to point out to the Government the desirability of interfering with private interests as little as possible. He thought it would be more economical in management to have a few large works than to have the money frittered away in the erection of a number of small works. He would also state that there were other portions of the Otago gold fields, as well as the Tuapeka gold fields, where large works

could be constructed with great advantage, not only to the miners, but the country generally. He might refer to the Cromwell gold fields; he believed, if advantage was taken of the natural features of the country, and reservoirs constructed, that a large population would be maintained in that district for a number of years. However, that was a question which would have to be thoroughly considered before any expenditure took place; and he thought, perhaps, the Provincial Council, from their local knowledge, were better able to deal with this matter than that House, with their imperfect knowledge of that part of the country.

Mr. O'NEILL said that in asking that £150,000 should be spent instead of £100,000, his object was only to give power to the Government to go to that extent if they thought it necessary to do so. It was possible that they might not find it necessary to expend so much as £100,000 in a year, but, on the other hand, they might require to spend a great deal more. All that he wished to do was to give the Government power to spend as much of that sum as they thought advisable. The whole sum of £300,000 was but a trivial amount to be spent on waterworks throughout the Colony; it ought to have been a million.

Mr. VOGEL said that the limitation applied only to the power to spend borrowed money. It was not applied in the next clause. If the money were all to be borrowed, it should not be expended in less than three years.

Mr. W. H. HARRISON said the honorable member for the Gold Fields (Mr. O'Neill) had referred to large works which were required in different parts of the Colony. He understood the honorable member to refer to the Thames gold fields—

Mr. O'NEILL had not said a word about the Thames gold fields.

Mr. W. H. HARRISON.—The honorable member referred to the gold fields generally, and included the Thames gold fields among the rest. He (Mr. Harrison) had before him the report of the engineer on the gold fields, which showed that the waterworks required there, if carried out, would leave a profit of 15 per cent. on the outlay. If that were the case, the addition proposed by the honorable member would not be required at all.

Amendment put and negatived, and the clause as amended agreed to.

Clause 27.—Governor may agree with contractor. Waterworks for payment in money, or for subsidy or otherwise. Agreed to.

Clause 28.—Pecuniary liabilities for waterworks not to exceed three hundred thousand pounds. Agreed to.

Clause 29.—All moneys which shall, from time to time, be expended under the authority of this part of this Act, shall, immediately upon any such expenditure being made, be charged by the Colonial Treasurer against the Province in which the works on which such moneys shall have been expended are situate, in the manner provided by the fourteenth section of "The Public Revenues Act, 1868."

Mr. VOGEL proposed to move an amend-

ment in this clause similar to those he had moved in other clauses, in reference to the charging of the moneys, so that the Province would only be charged with the interest and sinking fund where the money was borrowed. He would move that in the last line the words "forty-fourth" be inserted in lieu of "fourteenth," and that in the same line the figure "7" be inserted in lieu of "8;" also, to add the following words:—"And section of 'The Payments to Provinces Act, 1870.'

Provided that, as to so much of the said moneys as shall be expended out of any loan, such charges shall be the interest and sinking fund from time to time accruing and due in respect of such moneys, commencing from the date of the borrowing thereof, and a proportionate part of the cost of raising such money."

Amendment agreed to, and clause as amended agreed to.

Clause 30.—Governor to define lands and streams to be taken.

Mr. RICHMOND, before they left that part of the Bill, wished to call the attention of the Colonial Treasurer to the fact that a Bill was drafted for a similar purpose in 1867, and printed and circulated among some honorable members, although it was not generally distributed. It contained some provisions for the administration of the funds that were proposed to be asked for at that time, and if the honorable gentleman had not seen it, he would be very happy to furnish him with a copy.

Mr. VOGEL said the Bill to which the honorable member referred was not to be found. The honorable member had eradicated all traces of it.

Clause agreed to.

Clause 31.—The Governor may, from time to time, in the name and on behalf of Her Majesty, purchase or in anywise acquire any land in the North Island of New Zealand, or any interests therein which the owners thereof may be willing to sell convey or surrender, if he be requested so to do by the Superintendent of the Province in which the land is, and if it shall appear to him that a profit may be made in the sale of such land, and otherwise expedient that he should acquire such land; and in entering into any contracts for the purchase for money of any lands, under the powers contained in this section of this Act, the Governor shall be guided, in fixing the price which he shall be willing to pay therefor, by an estimate based on the laws in force in the Province in which such land is regulating the price at which waste lands of the Crown may be sold.

Mr. RICHMOND moved that after the word "Superintendent," in the fifth line, the words "and Provincial Council" be inserted. He knew it would be argued, as it had been argued before, that to discuss any proposals for the purchase of land would be fatal to the success of the operations. He would also have the bugbear raised of the probability of incitement to war by discussions. There was, however, nothing that he was aware of, in any existing law, to prevent the Provincial Council from discussing the subject of the purchase of land. As

to the probability that open discussion might damage them, in a commercial point of view, by bringing rivals into the market, he rather thought that was a danger which the Committee must not think likely to be avoided by keeping the matter dark between the Superintendent of the Province and the Native Minister. Operations attempted to be carried on by the Government could not be done secretly. There was now a considerable body of Native agents watchful of every movement on the part not only of the Government but of private individuals, and the Committee might rest assured that no successful concealment would ever be effected. It would be quite impossible for the Native Minister or any of his agents to go into the market at the present time to buy land without its being known all over the country within a few days. Therefore, all the arguments against admitting Provincial Councils into their confidence in such questions on that plea were futile and vain. On the other hand, there could not be a doubt that the discussion by the Provincial Council of questions of that sort was very likely to cause more caution and prudence in the spending of public money, and that, he thought, was a matter of sufficient importance to justify him in making the proposal which he did. He would say a few words as to the general purport of that part of the Bill. He had looked over the blue books with a view of ascertaining, if possible, what had been the financial result of Government operations in land purchases and sales in the North Island. The South Island, they all knew, was purchased from a few claimants for a very small sum of money, and a large profit had arisen; but in the North Island a very considerable amount had been paid. It was almost an impossibility, at the present time, to sum up the amounts and get the grand total, but he found actually recorded in the returns which were in the blue books of the House from 1854 to 1865, when the land purchase department was wound up, sums amounting to £220,000, independent of payments made in the South Island. That was in addition to some small matters in gunpowder, blankets, and other inducements to sell, and it did not include a considerable amount for the land purchase department itself, which was difficult to ascertain, but which might fairly be estimated at £4,000 a year for a period of fifteen years. It did not include large sums of money which were involved in general accounts for surveys prior to purchase from the Natives—sums which he had been utterly unable to unravel, and which he believed had puzzled the most competent accountants. He did not think it would be at all out of the way to put down the grand total paid for land in the North Island, and for surveys prior to purchase, and which formed in some cases conditions of the purchases, at from £300,000 to £320,000. The Crown lands departments even—the most economical department in the Colony—had not got rid of its land under 2s. and 3s. an acre, and, if he were not mistaken, they had sold, in the

Northern Island, lands which had fetched £600,000, with an acreage of 1,800,000 acres altogether. In that respect, again, the records were imperfect and in arrear, and he did not pretend to be precise as to the figures. However, putting the expenses of the land sales department at no larger an amount than 1s. 6d. an acre—and that was somewhere about half the cost of the Crown lands department in Nelson, and about one-fifth of the cost of the same department in Canterbury—they would find that the total cost of the administration of land in the North Island was about the same as, if it were not in excess of, the actual receipts. It therefore seemed to him to be established that the land sales operations were not in themselves profitable, and were only advisable in so far as they might help to forward the colonization of the country. He did not deny that it would be a great advantage to obtain perfectly free occupation of large tracts of the country, and if the Government should succeed in obtaining that occupation—even by reverting to the old doubtful and objectionable practice—the end might justify the process; but at least it required that they should impose the utmost caution upon the Government. He found, further on in the clause, that the amount to be voted was to be given in a lump. On the face of that part of the Bill there was not that restriction which had been imposed in the other divisions of the Bill,—of the amount to be spent per year. Looking at the operations of the land purchase department in former years, he found that the expenditure of the £180,000, under the New Zealand Loan Act of 1856, extended over fully eight years. They must remember that in those days land was much easier to be obtained than at present, and therefore it was to be assumed that the money was much more rapidly got rid of then than it could properly be now. He did not think it would be at all expedient that they should grant the whole of the sum in one gross amount, any more than they had granted the whole of the sums for other purposes in one amount. There was another more cogent reason why that course should not be pursued, and why the limitation which he would ask for should be put upon that portion of the Bill. It was that these large sums of money which they were granting, under one head, for Native purposes, must be treated in part as money given in largesses to the Natives, and as sums paid for the purchase of peace. The £400,000 for road works in the North Island, to a great extent, would prove to be donatives to Natives, friendly and sub-hostile. He wished to call the attention of the Committee to the fact that if they did allow the present Government and the present Native Minister enormous sums to be distributed, in a very short time there might be peace for the time being, but there would either be a certainty of a fresh outbreak when the largesses ceased, or a necessity for continuing them on the same scale. Those were matters which were worthy the attention of the Committee, and he hoped they would not pass by the consideration of them hastily. There were

honorable gentlemen who, having made up their minds to the simple voting, and having shouted their war cry, seemed content to waive discussion. Those honorable gentlemen were prepared to make what was called a "dead set" against the Native department, in which he for one was not prepared to support them; but he thought a very reasonable point of resistance was upon the grounds of special and extraordinary votes of enormous dimensions, to one Government, and in one period, which it would be practically impossible for the Colony to continue, and which, therefore, must demoralize all concerned, and leave behind difficulties as great as those under which they had laboured for the last ten years. He therefore asked the Committee to assist him in putting every possible restriction upon those votes, and limiting, year by year, the amount to be paid for the land purchases, although he had been refused the limitation he had asked in the case of roads in the North Island.

Mr. MACANDREW expressed a hope that the honorable member in charge of the Bill would save the Committee further discussion by at once agreeing to the amendment of the honorable member for Grey and Bell. He must say that it was exceedingly refreshing to hear from that honorable member even a recognition of Provincial Councils.

Mr. WILLIAMSON said that, unless facilities were given for acquiring land in the North Island, upon which to settle the immigrants, the whole immigration scheme would be one for the Middle Island. Natives might offer for sale important and valuable tracts of the country, upon which immigrants could be settled, but the Provincial Council might not be in session at the time, and the Superintendent would have to wait until the Council was called together, while in the meantime the opportunity to purchase might be lost.

Mr. VOGEL had well thought over the amendment proposed by the honorable member for Grey and Bell, and it appeared to him that it would entirely frustrate the object of the part of the Bill which they were discussing. The honorable member for Clutha had a very proper respect for Provincial Councils, but the circumstances of his Province were very different from the circumstances of the Northern Provinces; and in their discussions as to the purchase of land they might say, "We do not desire this purchase to be made." The amendment which he (Mr. Vogel) had prepared was to the effect that the Governor should make the purchases, after he had been requested by the Superintendent to do so, and after he should have agreed with such Superintendent as to the terms and charged the sum to the Provinces—instead of making a purchase before agreeing as to the terms of purchase. Now, those would be delicate negotiations which it would be impossible to enter into with Provincial Governments; and, therefore, the Government could not accept the honorable member's amendment. He (Mr. Vogel) moved to strike out the words "if he be," in the fourth line, and to insert in lieu thereof the words "shall have been."

Mr. FITZHERBERT was glad to find that the Government did not intend to accept the amendment of the honorable member for Grey and Bell. In addition to the reasons given by the Colonial Treasurer, another reason presented itself to his mind. It was patent to every one acquainted with the operations of the Native Land Purchase Act in the North Island that all of themselves, if he might presume to make so sweeping an assertion, were in the market for buying land. That was to say, they would all of them, more or less, be competitors with the Government over the £200,000, and, if that were the case, his sympathies would be entirely with the Government as against themselves, and, therefore, he should not like to see them, either by themselves or by the influence of surveyors or capitalists, come in and spoil those purchases. The reason why he was in favour of the £200,000 being placed at the service of the Government was that, under the operation of that Act to which he had referred, colonization in the North Island henceforward had become almost impossible unless some change were introduced. He meant colonization upon any concerted or large scale. The very eyes of the country were being picked out every day, and it was impossible to form anything like systematic settlements. Under those circumstances, he believed that if they were to make the matter a special reference to the Provincial Councils they would perhaps mar the work. He would earnestly call the attention of the Government to a question in connection with the present and succeeding clause, which, if they were going in for systematic colonization in the North Island, would have to be attended to; he alluded to the imperfect surveys in the North Island. The present was an exceedingly favourable opportunity of mentioning the subject, as it was entirely on all fours with the question under consideration. He did not suppose, for one moment, that the Government would come down and tell them that the scheme of spending £200,000 was for the purpose of producing peace. If that were the case he would not vote one farthing. They had arrived at that stage of affairs that it was better for them to look the very worst in the face, and adopt a totally different mode of expending £200,000, if such were the intentions of the Government. But, on the other hand, he understood that it was the intention of the Government to carry out and further a very great system of colonization, and it was in that sense that he supported them, and in that sense he commended to their consideration the imperfect state of the surveys in the North Island. Unless something were done in that direction, complications would arise, compared to which those with regard to the Native question which had hitherto arisen would be as nothing. He objected to indiscriminate permission being given to persons to make independent surveys. It too frequently occurred that persons who undertook the survey of land only went through the form of doing so, and the result of their labour was to create confusion, by having the land of one purchaser overlap that of another. There had

been no plan of survey adopted in the North Island having regard to a scientific whole. The Government had not covered the Island with triangulated survey, and the consequence was that Crown grants, as he understood, and he believed it could not be gainsaid, were being issued for land which had been previously purchased. He hoped that a portion of the £200,000 would be dedicated to the general survey of the North Island, as it was a work of the greatest necessity.

Mr. VOGEL admitted the importance of the question alluded to. It was one which the Government had had for some time under their notice, but it was one with which they could not undertake to deal this session. The matter would be considered during the recess, and the Government would see if some arrangement could not be come to between the different Provinces for a survey, which would include the whole of the Island. The circumstances of the Middle Island were different, and he hoped the Government would succeed in effecting such an arrangement, as thereby much unnecessary expense would be spared and greater satisfaction afforded. He trusted that the honorable member would be satisfied with his statement, and not press any amendment on the subject. With respect to the objections of the honorable member for Grey and Bell, he might say that the object of the Bill was not the promotion of either peace or war, but simply to encourage colonization. As had been stated in the budget speech, the Government felt that, when making the improvements contemplated in the North Island, it would be worse than folly not to take up those large tracts of land which the Natives were willing to part with and which could be had on very advantageous terms. He hoped that, after this explanation, the honorable member would allow the clause to pass.

Mr. RICHMOND had listened attentively to the arguments of the honorable member for the Hutt. He believed it was quite true, as the Colonial Treasurer had stated, that the money, if raised, would not be expended expressly, or even designedly, for the purchase of peace; but do what they would, the £200,000 would be given to the Natives in the course of a very short time. That was a fact, and no argument, no amount of discussion, could show that the intentions of the Government in that respect could modify the result in the least degree. The money would be spent on the Natives, provided it could be raised; and when speaking on the Bill, and discussing it, they should be careful to add that proviso, for, after all, they were probably only arguing on a vision of their own minds. The Government had arranged to spend £400,000 under another head, but a large part of that also would be spent amongst the Natives,—he hoped in good and useful contracts. That enormous temporary expenditure was, he ventured to say, a dangerous policy, as it could not be carried out *ad infinitum*. The honorable member for Wairarapa had raised his defiant voice frequently against the Native department, and had, on several occasions, asserted that he would do away

with it altogether. He would ask him to assist in preventing the spending and squandering of the money. They were pursuing a policy towards the Natives which must create a hunger that the House would have to gratify in one way or another. With respect to the survey to which the honorable member for the Hutt (Mr. Fitzherbert) had alluded, he considered that his proposition would be a necessary appendage to the operations of the Government. He quite agreed with the honorable member's remarks as to the blunders, for want of such a systematic survey, which had taken place in the first days of the Native Lands Court. He had been frequently twitted by the Colonial Treasurer and the honorable member for Mongonui with being of a visionary temper, but he took credit to himself that he had, when in the Government and responsible for administering the decisions of the Court, so far as the issue of grants was concerned, established a survey office in connection with the Court and introduced the system of triangulation. The cost of that system had been very small—not more, he believed, than one farthing an acre, and he did not believe that it required the consent of the Provincial Governments to carry it out fully. If they took the whole area of the Northern Island, which was about thirty million acres, it would be seen for how small a sum, comparatively speaking, the survey could be made. He would press his amendment because he felt convinced that the honorable member for the Hutt (Mr. Fitzherbert) had mistaken the times. No negotiations, he believed, could be effected by the Government for the purchase of Native lands without the matter becoming public. These negotiations could not succeed except in the case of lands of inferior quality, because everybody in the Colony would become a competitor. The time was passed when systematic colonization could be carried on except in one or two spots. He spoke as one who had travelled a great deal in the Colony, when he said that there was no place in the North Island where that system could be carried on, with the exception of one locality, the Taranaki promontory, between Waitotara and the White Cliffs. If the Government concentrated its efforts upon that spot, if local jealousies were laid aside, and the claims of the friendly Natives purchased, systematic colonization might prove successful, and there might soon be a numerous and tax-paying population settled there. But, as regards the remaining portion of the Colony, systematic colonization was a mere vision, and, if attempted, it would be found that good land could not be purchased from the Natives on terms that would pay.

Mr. McLEAN saw no reason to apprehend any difficulty arising from the purchase of land by the Government. The object of the Government was, clearly, to acquire the land for purposes of colonization. If the Government did not obtain the land it would be secured by private individuals. As to the influence upon the minds of the Natives, he did not at all agree with the honorable member, who was mistaken in supposing that the negotiations for the purchase of land would be private. It was well known that

former purchases made by the Government received every publicity, notice being given, in many instances, one, two, three, six, and even twelve months prior to the completion of the purchase. In this case purchases would only be completed after inquiry as to title in the Native Lands Court. There was no doubt that, if the colonization of the North Island was to be carried on with anything like system, it was better that these large tracts of land should be purchased by the Government than by private speculators. It was absolutely essential, if there was to be anything like progressive settlement, that the land should be so purchased. He would ask honorable members to look at those parts of the Colony where a different system prevailed. It would be found that settlement in these places had languished. There was no regular and progressive settlement except where the Government had acquired the land from the Natives. It was not intended hastily to conduct these purchases, and he thought, judging from the measures which had, up to that time, been adopted, the Government should not be blamed for having at all acted with undue haste. The outlay of the Government that year, in opening up main lines of road, and affording employment to the Natives, had been most profitable, and the work had been economically carried out. Every engineer who had examined the works admitted that they had been well executed, and at 50 per cent. less than if the Government had employed contractors and European labourers. It had also the effect of directing the attention of the Natives to pursuits of peace. In districts where but a short time ago no European could travel, there were now good tracks and tolerable dray roads. The Government, therefore, could not be open to the imputation of squandering money in that direction. Neither did he think that the Government should be opposed in the effort to acquire land for the purposes of settlement and colonization. They would soon find that unless the Government purchased the land it would fall, ultimately, into the hands of private individuals, and all progressive settlement would be at an end. Whatever might be the objections of the honorable member for Grey and Bell to the Bill before the House, he might rely upon the discretion of the Government with reference to the purchase of land.

Mr. WILLIAMSON said that there was plenty of land to the north of Auckland which might be rendered available for settlement if in the hands of the Government, but which would be quite useless for that purpose if allowed to pass into the possession of private individuals. It was well known that wherever lands were thus acquired they were left to remain as they were before,—a perfect wilderness. Colonization was wanted in the North Island. The safety of the North depended upon it. Though much of the land was not of a quality to encourage settlement, there were still large portions capable of being colonized. There were extensive blocks of land in the North Island that the Natives would rather sell to the Government than to private indi-

viduals, because they now felt assured that they would gain an advantage by having a European population settling amongst them, in the event of the land becoming the property of the Government. The Provincial Government had not the means, during his (Mr. Williamson) superintendency, to purchase those lands, but at the time a portion of the half million loan had been allocated to Auckland for land purchasing, the present Defence Minister had assisted him materially in acquiring land which was most available for purposes of colonization, and it was upon that basis that the forty-acre system was adopted. Many families had since settled upon the lands thus acquired. As far as he was concerned, he was glad to see the system about to be resumed. The Natives were, in almost every case, more willing to sell to the Government than to private persons. Every impediment to the measure and to the speedy acquisition of land from the Natives was destructive to the colonization of the North Island. If the proposals of the Government were not carried out, the effect would be that the large immigration scheme now under consideration would only apply to the Middle Island, where lands were not in the hands of the Natives. It was for that reason he felt bound to vote against the amendment, not but that he believed it was wise at times to consult the wishes of Provincial Councils, but if doing so were attended with delay, the effect would be to throw impediments in the way of promptly acquiring land for the purpose of colonization.

Mr. BUNNY could not support the amendment. The honorable member for Grey and Bell had called on him to raise what he was pleased to call his defiant voice, to annihilate the Native office. Now, though he had always been, and would continue to be, opposed to the system of spending money upon the Natives, he thought it was a different matter when they spent the money in acquiring land for the purposes of colonization. The sooner they acquired the £200,000, and the land of which it was the purchase money, the better it would be for the Colony. As to the Lands Courts, he believed it would be an advantage to repeal the Act under which they existed, and thus admit of the Government going back to the old system of direct purchase. He could not support the amendment, as he believed it was in the wrong direction, and was only calculated to throw impediments in the way of carrying out the objects of the Bill.

Mr. ROLLESTON moved the following addition to the clause: "Provided that no instalment shall be paid on those purchases, and no such purchase shall be completed, until the owners of the land agreed to be purchased shall have been ascertained by the Native Lands Court." He would be sorry to throw obstructions in the way of land being acquired by the Government in the North Island, but he objected to the constant change of policy towards the Natives. The Natives regarded the Native Lands Court as an institution of their own, and it had worked favourably throughout the Island. It would

be impossible to say what might have occurred in the country but for the establishment of that Court. Its effects had operated beneficially upon the minds of many of the tribes, particularly the Ngapuhi, who were not slow to see the advantages the Native Lands Act conferred. He objected to the constant change of policy pursued to the Natives, but he did not wish to raise a discussion upon the question, as he had already stated his views.

Mr. McLEAN hoped the honorable member would withdraw his amendment, as it would only have the effect of embarrassing the Government. The Government in no case completed the purchase of any land until the necessary preliminaries had been gone through in the Native Lands Court. That course had been pursued in reference to the purchase of land in the Seventy Mile Bush. When the question of title was clear, it was as easy for the Government to purchase as for private individuals, and he did not see why the Government should be placed at a greater disadvantage than private persons. The object the Government had in view was simply to do that which would be for the good of the public and those intending to settle in New Zealand. He could not see why they should insist upon placing the Government in a very much worse position. It certainly should have the same privilege as private individuals. The Government were not asking for any monopoly: it was open to private individuals to acquire Native territory, and why should it not be equally open to the Government to make such purchases? It was eminently unfair that the Government should be placed at a disadvantage in this matter, particularly when it affected the interests of the community at large. In the North Island, where the object was to carry on settlement, they had been deprived of the waste lands for that purpose—hundreds of thousands of acres had been absorbed by private individuals, where thousands of families might have been settled if means had been available to purchase those lands. He hoped the honorable member would not press his amendment. The action of the Government would be subject to inquiry as to title by the Native Lands Court. The action of the Native Lands Court in the North had been exceedingly satisfactory. The Natives had their titles individualized, and security of tenure given them, by means of the Court. That it had worked unfairly in other parts of the country was no doubt true, and that it might lead to litigation and trouble was also true; but there was no doubt the working of the Act had had a very good effect among some of the tribes in the North.

Mr. MOORHOUSE said the principle of the Bill had been discussed and settled long since. The only thing that appeared to him now was, whether the amendment proposed by the honorable gentleman would not have the effect of preventing the Government carrying out its operations with the Natives. He quite concurred with what had fallen from the last speaker. He believed the amendment would embarrass the

action of the Government. He had reason to believe that it would do so; naturally it would do so. The Government, representing the general public, should not be placed in an embarrassing position when exerting themselves for the interest of the public. The action of the Government was most likely to be embarrassed by accepting the first amendment of the honorable member for Grey and Bell. They all understood, as men of business, that in negotiating a purchase, although it was their duty to give the highest price if they wished to secure the property, still it was not their duty to give more than its value; and it was their business to surround themselves with such precautions as might secure the chance of getting the land, if anything, at a price within its value, more especially as they were representing others in the transaction. If they called upon Provincial Councils to assist, they would realize that which followed the employment of too many cooks to make the broth. He believed none would be so able to conduct arrangements of this character as the gentlemen who were to be under the control of the Native Minister. He believed that was a proper authority,—that was a responsible authority, and he believed no very great advantage would result from employing Provincial Councils all over the Colony to buy land and to interfere with the action of the Commissioners who might be appointed by the Native department. It was too late to refer to the policy of the Government interfering in the purchase of Native lands; it had been affirmed. It could not be concealed that the Legislature effectually affirmed, in more than one session, that it was inexpedient for the Government of the country to interfere in the matter of the purchase of land, for reasons which might be very obvious some time ago. He was unable to give an opinion on the present policy, as he had not been in the House for some time. He had a great deal to learn before he could give an opinion as to how far such a change of policy was justified by the circumstances. The House had affirmed the policy of the Government, and he believed the acceptance of the amendment would have the effect of embarrassing the success of that policy.

Mr. RICHMOND would ask that the amendment be put. The remarks of the Native Minister had entirely justified the proposal. The honorable member had stated that the purchases were not to be carried out in a corner, but in the broad light of day. In former times there were but two parties concerned; there was no competition for the land, and no cause for secrecy. If it were the intention of the Government that the new operations should be carried on with publicity, it appeared to him very clear that the ground upon which the honorable member for the Hutt and the Colonial Treasurer had opposed the consultation of Provincial Councils was entirely cut away. Under section 35, the Provinces were to be debited with the amount expended, therefore the Councils should have a voice in the expenditure. It had been said that he had changed his views of Provincial Governments, but he was not aware that, upon the question between Superintendents

and Provincial Councils, he had ever been found asserting that Superintendents should have absolute power to pledge the Councils or their Provinces. The publicity that would be obtained in the Provinces by the action of the Councils would not affect the terms of purchase, but merely as to the more general question whether a purchase should be made or no. The Provincial Councils should have an opportunity of saying what they think about this question: they should not be saddled with the payment of money for the purchase of land they might not think it desirable to obtain, without allowing them a voice in the matter. He would ask the Chairman to put the amendment, as he was anxious to record the opposite view in the clearest possible manner. He should have another amendment to make in another clause, to show that he was not making the present amendment in a hostile spirit, but with the desire to qualify the proposals of the Government and to make them consistent with sound policy in respect to the Natives. He intended to propose an amendment, giving the Government the power to grant annuities in payment for land to the Natives. He desired to show the House and to place on record the view he entertained, and which he was sure ought to be acted upon in practice if the policy of land purchase in the North Island was to be carried out.

Mr. VOGEL was quite ready to allow the House to decide the question. The question of whether Provincial Councils should be allowed to act with the Superintendents had not much to do with the present clause for the acquiring of the land; it might have to do with clause 35 of the Bill. The only stipulation in the clause under consideration was that land should be bought from the owners or persons claiming to have a title to it with the consent of the Superintendent of the Province where the land was situate.

Mr. CARRINGTON hoped the House would not entertain the idea put forth by the honorable member for Grey and Bell and the honorable member for Avon. If the Provincial Councils were to be consulted, they would never have any land: such a proposal, if carried out, would be fatal to the whole scheme. With regard to putting the matter before the Court to be investigated, there had not been a single instance in which the title had failed where the land had been purchased by the now Native Minister.

Mr. KELLY thought the amendment of the honorable member for Grey and Bell was provided for in clause 87, which stated that the Superintendent was to act with the advice of the Executive Council.

Mr. Richmond's amendment was negatived, and Mr. Vogel's amendment agreed to.

Mr. Rolleston's proposed proviso to the clause was put and negatived.

Clause as amended agreed to.

Clause 32.—Out of the moneys authorized to be raised under the said Loan Act, and applicable to the purpose of purchasing lands in the North Island, there may be issued and expended in or about the purchase of any such lands, as in the

preceding section mentioned, any sum or sums not exceeding in the whole two hundred thousand pounds.

Mr. RICHMOND moved that after the words "not exceeding in" the following words should be inserted:—"any one year the sum of twenty-five thousand pounds, nor in." His object was to impose due precaution on the expenditure of the money, and that a very large sum of money should not be expended in any one year among the Natives, which meant utter demoralization of the people.

Mr. WILLIAMSON hoped the Committee would not be so unwise as to pass such an amendment. If Governor Hobson, in the early days of settlement in this Colony, had had it in his power to acquire Native lands, they could have been purchased for less money, and it would have prevented the shedding of so much blood. If they should now put off the acquiring of the land until colonization should set in, they could not tell how much they would have to pay for the land in a few years. He was surprised that such an unwise amendment should come from the honorable member for Grey and Bell.

Mr. VOGEL said the Government could not accept the amendment.

Amendment negatived.

Mr. VOGEL said the Government would accept the proviso respecting the granting of annuities, which he would now move:—

"Provided that the Governor may agree to pay for any such land either wholly or in part by terminable annuity assignable or unassignable for any period not exceeding two lives or thirty years, and in every such case he shall be deemed to have expended so much of the sum hereinbefore appropriated as would represent the principal sum whereof such annuity would represent the interest, reckoning at six per centum.

Mr. RICHMOND thanked the Colonial Treasurer for accepting his amendment. He said it behoved them to look somewhat into futurity, after the practical experience they had had of the wastefulness and extravagance of the Native race. Large estates had been squandered away by them, and it was highly expedient that the Government should act upon such a power in as many cases as possible. Great dangers impended over the Colony in several districts from the improvidence of the Natives, not from the action of the Native Lands Court as had been asserted, but from their most ill-advised, or not advised at all, dealing with their property in bringing it before the Court; and by being, to this extent, the guardians and protectors of the Native race the Government could do that which was best for the peace of this country.

Amendment agreed to.

Clause 33.—Land may be declared to be sold subject to waste land laws in force in the Province in which they are.

Mr. RICHMOND moved the omission of all the words after the word "provisions" in the sixth line.

Amendment negatived, and clause as printed agreed to.

Clause 34.—Disposal of land, and proceeds. Agreed to.

Clause 35.—Cost of purchase to be charged against Province.

Mr. RICHMOND moved the insertion of the words "and the Provincial Council." It was clear that there was no value in the argument, that those delicate negotiations required secrecy. This clause proposed to settle how the money should be charged after the purchase had been effected. It was really a question as between the Colony and a particular Province. If they excluded the Provincial Councils from all say as to the purchase of the land, it became doubly incumbent on the Committee to see that the Provincial Councils should be consulted as to the amounts to be debited to their respective Provinces.

Mr. HALL said an amendment had been carried in a previous clause, to the effect that nothing should be done in the way of purchasing land until the Superintendent and Governor agreed upon the terms upon which the purchase money was to be charged against the Province.

Mr. RICHMOND had lost sight of that amendment. He would not ask the Chairman to put the amendment he had proposed.

Clause agreed to.

Clause 36.—Governor, at request of Superintendent, may contract for introduction of immigrants. Agreed to.

Clause 37.—Governor may make regulations relating to immigration. Agreed to.

Clause 38.—One million may be applicable to emigration purposes, and pecuniary liabilities (inclusive of such expenditure) authorized to the extent of one million. Agreed to.

Clause 39.—Half of expenditure to be charged on Provinces, at rate not exceeding thirty shillings per head per annum. Agreed to.

Clause 40.—The Governor may, from time to time, appoint some person to be Agent-General for New Zealand in the United Kingdom of Great Britain and Ireland, and may remove any such person and appoint another in his stead. It shall be the duty of the Agent-General to do all things in relation to New Zealand that the Governor in Council may direct, and he shall be paid, out of the moneys applicable to immigration purposes under this Act, such salary as the Governor shall from time to time appoint.

Mr. HALL said that the clause as it stood would enable the Governor to pay whatever salary he liked to the Agent-General. He could see no sufficient reason for a departure, in such a case as this, from the proper constitutional practice, which left it to that House to fix the salary of an important public officer. He had intimated to the Colonial Treasurer his objection to this part of the Bill, but the honorable gentleman did not agree in his objection. He should be glad to hear from the honorable member any reason why the House should not exercise the usual control in this case.

Mr. VOGEL said that the difficulty was, that the Agent-General would have many other functions attached to his office. If the House

wished to see a limit set to his salary, he (Mr. Vogel) should have no objection: it would relieve the Government from the responsibility. The Government were of opinion that if this Agent-General were appointed, he would have many duties of an important nature to perform which could not be chargeable against immigration. If the honorable member would give him some idea as to the limit which he wished to fix, it would put the question more clearly. As to voting the salary from year to year, that was not to be thought of; the salary must be voted for at least three years. He did not think any one suitable for the office would think it worth his while to take it for less than £1,500 a year. The expenses of living at home were more than they used to be, and the Agent-General must keep up something of dignity. He did not think that £1,500 a year would be too much for such a person as it would be desirable to appoint, but that should not be all chargeable to immigration. He merely threw this out as his own idea. Perhaps the honorable member would tell the Committee what duties and emoluments should be attached to the office.

Mr. HALL was not prepared to exercise the functions which devolved properly upon the Colonial Treasurer himself. The honorable member had asked him to fix the salary and define the functions of the Agent-General—it was for the Government to do that. He thought that the Agent-General should be liberally paid, in order to secure the services of the most competent person they could find. It ought to be a post to which any man of ability and experience in the Colony might look forward as a proper object of ambition. It was true that if this gentleman was to be resident in London, he must live in such a way as to maintain the credit of the Colony. He did not, therefore, think the salary suggested by the Colonial Treasurer was too large, considering the expense to which the Agent-General would be put. He (Mr. Hall), on the present occasion, stood up for the principle, which found a great many advocates the other evening, namely, that the House should fix the salary of important public officers. The Colonial Treasurer had placed the question in a difficult position, by stating that the Agent-General would have other duties to perform, and that therefore it was not fair to charge the whole salary to the immigration vote. He agreed to that; but until they knew what the other duties were to be, they could not fix the amount of the salary to be paid out of immigration funds. He also agreed that the salary was one that ought not to be voted from year to year. They could not expect any gentleman to go from this Colony on such a mission unless his salary was fixed for more than one year; it ought to be fixed for at least three years, but by the House.

Mr. STEVENS was anxious to know whether the Government might not be of opinion, after reconsideration, that no portion of this salary should be charged to immigration. It appeared to him that the office of Agent-General was one which they should contemplate as permanent. It would be in every respect desirable that the

Colony should be permanently represented in England by some officer who could command confidence. He could not see any reason whatever why the immigration fund should be made chargeable with either the whole or any portion of his salary. It appeared to him that it would be better to treat the Agent-General as an officer whose salary it would be desirable to make safe, either by a special Bill or by putting his salary on the civil list; but it seemed to him open to very great objection that the salary should be apportioned, as it were, among many different kinds of service. He did not think it was consistent with the character of the service, or that anything would be gained by adopting such a course. He should like to ask the Colonial Treasurer whether, in the course of his travels in the Australian colonies during the last few months, he had not acquired some information as to what was paid to Agents-General of other colonies, as that would be a guide to the House. There was an Agent-General appointed for nearly every one of the Australian colonies. There was one for Victoria, one for New South Wales, and he was not sure, but believed there was one for Tasmania. Perhaps the honorable gentleman would be able to inform the Committee what salaries were paid to those gentlemen.

Mr. VOGEL said honorable members must not expect the Government to do everything in one session. The Government were not at present prepared to propose a separate agency apart from this Bill. That it would grow to a separate agency ultimately there was no doubt, but the Government were not prepared to come down with such a proposal at present. If this Bill were to be carried out, there were very important functions to be discharged by the Agent-General in England. For instance, the Government intended to extend the provisions of the Insurance Bill, and resolutions were to be brought before the House to appoint a Commission to inquire into the subject of New Zealand flax, and its applicability to various purposes of manufacture. In reference to the several measures brought before the House this session, it would be necessary to employ an agent, and perhaps more than one, in England. The Government were not prepared to come down with a proposition for the separate appointment of an Agent-General, but it might be a question, when this House came to consider the apportionment of the money, to determine how the salary should be charged. At present it was more convenient to put it in this form. He thought it would be more convenient, instead of limiting the salary, to say that the engagement should not be made for more than three years. He could not catch exactly what it was the honorable member wanted; but if he would state the nature of the amendment which he would like to make, he (Mr. Vogel) would endeavour to meet his views.

Mr. STEVENS could not understand the nature of the position taken by the Government in that House. He understood the Government to say that they were not in a position to appoint an Agent-General outside this Bill.

Mr. VOGEL said that the Government were not prepared, at present, to propose the appointment of an Agent-General outside this Bill. It would be very much better to decide that question next session, than to make arrangements now, in advance, as to the general nature of the duties he would have to perform—that is, so far as his duties were concerned.

Mr. STEVENS.—Then, by this clause, there was nothing whatever to confine the action of the Agent-General to the purposes of this Bill. If the Government determined that the appointment of an Agent-General should be carried out, it would be necessary to make some alteration in this clause. He would just read a portion of it:—

“The Governor may from time to time appoint some person to be Agent-General for New Zealand in the United Kingdom of Great Britain and Ireland, and may remove any such person and appoint another in his stead. It shall be the duty of the Agent-General to do all things in relation to New Zealand that the Governor in Council may direct.”

That was why he asked the honorable gentleman to reconsider that point.

Mr. VOGEL told the honorable gentleman that the Government were not prepared to go further than that. They were not prepared to come down with a proposal in any other shape than that.

Mr. HALL said that he would prefer to see the Government come down with what the honorable member stated they were not prepared to do, namely, with a special Bill to regulate the appointment of the Agent-General. He would suggest, if the Government had not time to deal with the question this session, that the present Bill should authorize the Agent-General to receive such salary as the Governor might fix until next session, when the salary should be permanently fixed by the General Assembly.

Mr. VOGEL thought that such a proviso would very much limit the range of selection in filling up the appointment. If any person were selected he might say, “You wish me to go home to England, and by the time I have arrived there the Assembly will have reduced the emoluments by one-half or one-fourth. How can I be asked to take the position of Agent-General?” The person selected would have to go from the Colony at very heavy personal sacrifices, it might be; and if then liable to have his salary changed, the honorable member must see that such a proposal would be almost tantamount to giving the Governor a very limited range of selection.

Mr. HALL proposed to strike out the words “such salary as the Governor shall from time to time appoint,” and to substitute for them the following: “a salary not exceeding £1,500 per annum.” Then the honorable member could put in other words to limit the time if he thought proper.

Mr. GILLIES thought it would be a pity to define, in the Bill, any particular sum that should be paid, because they did not know the extent of the duties to be performed. He thought the best

plan would be to leave it in the power of the Government to obtain the services of such person as they might think fit, and define his duties and give him what salary they thought proper, and it would be very easy for them next session to fix the salary by Act if necessary. He thought £1,500 was not too much for an agent who had to discharge all the functions as general representative of the Colony.

Mr. WEBSTER thought that £1,500 was barely sufficient, considering the expenses which would be imposed upon the agent from his official position.

Mr. BUNNY was of opinion that they had better leave the clause as it stood, and if the Government secured the sort of man they wanted, £2,000 a year would not be a shilling too much. They might then do away with the salary of £600 a year to their present agent.

Mr. KYNERSLEY did not think the Colonial Treasurer had answered the question of the honorable member for Selwyn, as to the salaries which were paid to the agents for the colonies of Victoria and South Australia.

Mr. VOGEL could not answer the question, as he was not aware of the salaries paid by the colonies referred to.

Mr. BRADSHAW stated that the Government of Victoria paid their agent £2,500, besides some allowances.

Mr. HALL again urged that the Government were not wise in resisting the amendment. The House ought not to leave such unlimited power in the hands of the Government, unless there was proved necessity for it.

Mr. VOGEL said, with regard to the appointment of the agent by the Government of Victoria, that the appointment was made on the eve of the Government going out of office, and Mr. Verdon proceeded to England without his appointment having been ratified. A change of Government took place afterwards, and it was never dreamed of to disturb the appointment, which had been made without the authority of any Act.

Mr. BRADSHAW preferred that the salary should be fixed, and moved, as an amendment, that it be not exceeding £2,000.

Amendment negatived, and clause as printed agreed to.

Clause 41.—Agents and sub-agents to be subject to control of Agent-General.

Mr. ROLLESTON asked the Treasurer whether he would indicate, in regard to agencies that already existed and were doing good work in respect to the Provinces of Canterbury and Otago, if they would be allowed to remain in direct communication with the Provinces. He felt that any complication of authority in this matter would lead to evil results. He held it to be a very bad thing that one person should be dispatching immigrants who was not in direct communication with the person who was organizing the arrangements for their reception; and, knowing that the existing agencies to which he had referred were really doing their work well, he thought the Government would be taking a very wise step to employ them, subject of course to the control of the

Colonial Government in respect to finance when they receive colonial funds, and leaving them in direct communication with the Provinces for whom they were at present acting. The agency of Canterbury was a very inexpensive one, and exceedingly well managed, and he believed they would be doing wrong to institute a change which might put them in a worse position, and which he most certainly thought could not put them in a better one. He would move as a proviso, "That nothing this Act contains shall prevent the Government from permitting the agents and sub-agents of the Provinces of Canterbury and Otago to remain under the control of the Provincial Governments of those Provinces."

Mr. VOGEL said that the question was one which the honorable member knew was embarrassing, and one to which the House had certainly a right to expect a frank reply from the Government. He had stated over and over again, in reference to the Bill, that it was a series of compromises, and he did not question but that in many of its provisions some hardship, and perhaps some injustice, might be suffered by different parts of the Colony for the sake of meeting the case of other parts. Now, he could not tell how to get over the fact that the Colony was to find the money for immigration, and not the Provincial Councils. If the Provinces came to the General Government, under the provisions of the Act, and said they required immigrants, he could see no way of getting over the difficulty, that the charge must remain in the hands of the General Government. That the Government would endeavour to interfere as little as possible with the excellent arrangements which he believed existed in Otago and Canterbury, he could assure the honorable member. But it seemed to him that the difficulty would be more a nominal one than otherwise, and would consist simply in the fact that instead of the honorable member communicating directly with the agent at home, his communications would have to pass through the Government, and *vice versa*. If not, how were the Government to come down to the House and state what had been done, and afford all the particulars and information which honorable members would have a right to ask for? It would be impossible for the Government to deal with an independent agency which owed no control to one central authority. In Otago, he believed, they had frequently endeavoured to obtain some such central agency, and the Act, although it might involve, as it were, a slight loss of dignity in the matter, would be one which would be materially convenient to the Province, and would absolutely carry out what had been for years attempted to be done in the Provincial Council. The Province could communicate to the Government its desire to have so many immigrants on certain terms, and the Agent-General could instruct the agent at home, who would have a special knowledge of the circumstances of the Province, so that the present arrangement need be very little interfered with. The Government were strong upon the point that

the bringing out of immigrants should be done at the instigation and at the wish of the Provinces, so that the General Government would not have the responsibility of settling down the immigrants and providing for them. That responsibility was attached to the local authorities, and the immigrants brought out would be such as the local authorities stated beforehand their intention to accept. He trusted the explanation would satisfy the honorable member.

Mr. HALL was pretty well acquainted with the arrangements made by Canterbury for carrying on immigration, and thought, in the case of Canterbury and Otago, it would be wise to leave to their present agents the selection of the immigrants for those Provinces, and to allow them to remain in direct communication with the provincial authorities on the subject of the number of immigrants of various classes and trades that might be required. He thought that to send all such communications between the provincial authorities and the agents through the central authorities in Wellington was unnecessary, and likely to entail loss of time. He agreed with the Colonial Treasurer, that anything like the shipping of immigrants, and the making of contracts for their conveyance, ought to be in the hands of one central authority; still he did not see any difficulty in the way of leaving the selection for each particular Province in the hands of agents appointed by the respective provincial authorities, which agents would be well acquainted with the circumstances of the Provinces which they represented.

Mr. BUNNY could not see how the provisions of the clause interfered with the present agencies of the Provinces, as the clause said that "the Agent-General shall have control over all agents and sub-agents appointed under this Act," &c. If the Provinces wished to avail themselves of the Bill, then they must place themselves under the authority of the Agent-General; but there was nothing to prevent them from carrying on immigration on their own account. He trusted the Committee would not adopt any amendment in the clause.

Mr. ROLLESTON explained that, in proposing the amendment, his view was that the Colonial Government was perfectly justified in doing one of two things: of saying that they had nothing whatever to do with the Provinces, except to ask them if they required immigrants, and if they did to send immigrants, and provide for them the moment they landed, and take complete care of them; or they might use the Provinces as an agent, with complete control over the finances, and say, "For every immigrant of a certain class that you land, subject to an approval in London, and to such conditions as the Colonial Government may like to make, we will credit you with a certain amount per head, leaving the management to you. We believe you can make arrangements for the conveyance of immigrants by vessels coming to your port, and with the agency which you must maintain so long as you remain a Province, better and in a cheaper manner than we can." He believed the latter was

the rational view of the case that should be taken by the Government; but in the Bill, at present, there was a kind of divided responsibility, which he ventured to think would work very badly. The question of immigration was one in which little failures made great evils, and any one who had been frequently on board immigrant vessels, as he had been, and seen the little matters of detail that required management, would know that they must be managed by local control. He was quite prepared to take any amount of control and direction from the Colonial Government, but the management must be in the locality if the thing was to work well.

Mr. GILLIES did not think that the discussion that had been going on had reference to the clause before the Committee. It appeared to him that it had been brought forward in order to advertise the fact that Canterbury and Otago had immigration agents at home, and no other Province had, which was a mistake, as other Provinces besides Canterbury and Otago employed agents. The clause did not deal with the mode in which the Government was to act in regard to the agents, but there were two previous clauses which met all the provincial requirements. The Agent-General made provision for the conveyance of immigrants to the various parts of the country, and he would be able to make his arrangements cheaper, on behalf of the Provinces, than if he were only acting for one or two. If any Province did not want to take advantage of the provisions of the Act, then its immigration agent need not be under the control of the Agent-General at all. As to the question as to whether the agents were to correspond through the Government or otherwise, that was one of those little regulations which had to be varied from time to time as circumstances arose, and was one of those details which it would be very much out of place to insert in an Act of Parliament.

Mr. FITZHERBERT was glad that the Government refused to accede to the proposal to allow agents appointed by the Provinces to act independently of the Agent-General. The evils that would result from such a system had been pointed out by several honorable members, and more particularly by the honorable member for Timaru. It would have the effect of introducing an element of that discord, a striking example of which they had had in the course of the debate which had taken place. The Government would be departing from the spirit of the Bill if they consented to such an amendment. He admitted the truth of the assertion, that the Bill was a series of compromises; but at the same time, if the Government gave way upon the point before them, there would be a want of harmonious action on the part of their agents which would have the effect of defeating the objects of the Bill. There was one evil in the Bill to which he wished to direct the attention of the House. He thought that the hands of the Government were tied by being limited by the Superintendents as to the number of immigrants to be introduced into any particular Province. The Superintendent might, at any time, have pressure brought to bear upon him by

a cry of having the labour-market overcrowded. Superintendents who desired to introduce immigrants to a part, so as to benefit the whole, might be overawed from the want of consideration on the part of some portions of the public. The member for Heathcote had pointed out what did seem a defect in the Bill, namely, that while there was authority to remove those agents, there was no power of appointment given.

Mr. MACANDREW sympathized, to some extent, with the honorable member for Aron, seeing that Otago and Canterbury were the only Provinces which had the machinery for bringing immigrants to the Colony. After the remarks of the Colonial Treasurer, however, he did not see how the clause could be altered. So far as the Otago agency was concerned, it would in all probability be continued as it was, though at the same time they would take advantage of the Government scheme. At the present time the Province was prepared to expend £12,000 a year through their agent, and that would be sufficient to keep him at work for some years. He thought the Province would be able to take advantage of the colonial scheme without interfering with its own agency. He hoped that they would be able to bring immigrants from countries other than England, Ireland, and Scotland. He hoped that, under the Government scheme, they would be able to bring immigrants from the North of Europe to settle in New Zealand. There were several settlements on the West Coast of Otago which he thought would be much more effectually colonized under the proposed scheme than they were likely to be under the existing system. He would therefore support the clause as it stood.

Mr. VOGEL pointed out that the apparent defect referred to by the honorable member for Heathcote was provided for by clause 86.

Mr. HALL could not help dissenting from the remarks of the honorable member for the Hutt, who seemed to be of opinion that it should not be left to the Superintendents and the provincial authorities to say what number of immigrants were required for their respective Provinces. He knew of nobody that could give better information to the Government upon the subject of the varying requirements of the Provinces, from time to time, than the provincial authorities. It had been said that those authorities might be overawed, by popular clamour, against the introduction of labour; but it should be recollected that not merely the centres of population but all parts of the Provinces were represented in those Councils. He thought the Government had done what was quite right, so far as the clause before them gave a voice in the matter to the provincial authorities.

Amendment withdrawn, and clause agreed to.

Clause 42.—Appointment of immigration agents in New Zealand. Agreed to.

Clause 43.—Contracts for service made out of New Zealand to have same effect and to be enforced as if made in New Zealand.

Mr. MERVYN asked if it were the intention of the Government that all immigrants should be brought out at the expense of the Colony, or that

regulations would be made to compel immigrants, under certain circumstances, to pay part of their passage money. Under clause 37, the Government was empowered to issue regulations, enabling persons resident in the Colony to nominate their friends. In such cases, he thought that resident magistrates should have the power to receive applications, as thereby people residing in the country districts would be saved the trouble of travelling to the principal town, which might be at a considerable distance.

Mr. VOGEL said that the honorable member appeared to be dealing with the subject of immigration generally. He would ask him to confine himself to the clause before the Committee.

Mr. RICHMOND asked if the clause would admit of private individuals partly assisting immigration.

Mr. VOGEL said it was well known that every immigrant coming to the Colony held in his hand, as it were, a thread which drew others. He believed it was a very desirable plan that those persons should be afforded facilities for bringing out their friends, in which case clause 43 would be found very useful.

Clause agreed to.

Clause 44.—Summary powers to inquire into contracts made with immigrants. Agreed to.

Clause 45.—After notice and hearing objections, Governor may order work to be executed. Agreed to.

Clause 46.—Power to enter land and take the same for road. Agreed to.

Clause 47.—If fence removed, temporary fence to be put up. Agreed to.

Clause 48.—Gardens, &c., not to be taken or used without consent. Agreed to.

Clause 49.—Roads may be diverted.

Mr. HALL asked what the consequence would be if a road, instead of cutting through a persons property, simply abutted on it.

Mr. MAIN said that the honorable member might rest assured that there would be no difference between the cases; the parties whose lands might be affected were equally entitled to compensation. It was the same whether the road ran through the land or simply abutted on it.

Clause agreed to.

Clause 50.—Diverted road to become part of highway.

Mr. RICHMOND felt convinced that, under this clause, a person's property could be cut off from the public road. He thought it was unnecessary to give such powers; he therefore moved that all the words after the word "highway," being the last five lines, be omitted.

Mr. W. WOOD would support the amendment, as he considered it to be unfair to stop up a road to the inconvenience of persons who might have enjoyed it for many years.

Mr. BUNNY would oppose the amendment, as being unnecessary. No doubt private individuals must give way sometimes to the public good, and the Government were not depriving individuals of roads merely for the sake of doing so. The 49th clause of the Bill answered the purpose, and rendered the amendment unnecessary.

Mr. RICHMOND did not suppose the Government was going to deprive persons of roads for the sake of mischief. He should press the amendment, which would not in the least impair the power of the Bill.

Mr. MAIN thought the amendment would be a very great blot upon the Bill. There was no necessity for keeping up the old roads. A similar provision was contained in the Land Clauses Consolidation Act in operation in England.

Mr. RICHMOND was perfectly sure that if the Land Clauses Consolidation Act contained such a clause it was accompanied by provisions for the protection of the property of individuals.

Mr. VOGEL said the Government could not accept the amendment. In order to make it more clear that the old road need not necessarily be stopped, he would move that, after the words "shall cease," the following words be inserted: "unless the Governor shall otherwise direct;" and after the word "shall," in a succeeding line, "except otherwise provided."

Amendments agreed to, and clause as amended agreed to.

Clause 51.—Toll gates, &c., vested in Governor.

Mr. BRANDON.—In whom are the tolls to be vested?

Mr. VOGEL.—In the Governor for the time being.

Clause agreed to.

Clause 53.—Any adjoining land may be enclosed for purpose of making road, drains, &c. Agreed to.

Clause 54.—Gravel, sand, &c., may be taken. Agreed to.

Clause 55.—Drains, &c., may be cut. Agreed to.

Clause 56.—Compensation, how to be determined.

Mr. HALL said this was a clause providing for compensation being given to any person whose land may be damaged by the operations of the Government. If the extent of damages was to be left to arbitration or to a jury to determine, the person concerned should be paid that amount. It would be unjust to deprive a man of the compensation to which he was entitled because it happened to be above £500. He would move that the following words be struck out: "not exceeding in any one case the sum of five hundred pounds."

Mr. VOGEL said the amount named was the limit fixed in the Victorian Act, which had been found to work well. It was the very bane of a new country, that greediness for compensation when any new work was to be carried out. The strong way in which it had been put down in America enabled important public works to be carried out for the benefit of the public. There private interests were not allowed to interfere with the carrying out of great public undertakings. In this country we should also discountenance the organized greediness of persons who would prevent public works being carried out unless they could obtain extraordinary compensation from the Government. He trusted the Committee would support the Government in the limitation which they had fixed, for it was ample, and not

allow persons to take advantage of the clause to demand large sums from the Government as compensation.

Amendment negatived, and clause as printed agreed to.

Clause 57.—Erection of toll-gates, &c.

Mr. BRANDON asked if the Government proposed to have any limit to the tolls.

Mr. VOGEL said they did not. The regulation of tolls was a matter which the House would have to deal with sooner or later.

Clause agreed to.

Clause 58.—Fraudulent claim of exemption. Penalty. Agreed to.

Clause 59.—Evasion of tolls. Penalty. Agreed to.

Clause 60.—Obstructing officer. Penalty. Agreed to.

Clause 61.—Plying with punt within one mile of ferry. Penalty. Agreed to.

Clause 62.—Interpretation. Agreed to.

Clause 63.—Power to construct railway as defined. Agreed to.

Clause 64.—Power to take or use lands. Agreed to.

Clause 65.—Compensation for land taken or used or damaged. Incorporation of "The Land Clauses Consolidation Act, 1863." Agreed to.

Clause 66.—Where no legal guardian of infant owner, registrar of Supreme Court to act. Agreed to.

Clause 67.—Provisions of "Railway Clauses Consolidation Act, 1845," incorporated.

Mr. GILLIES did not wish to offer any opposition to this clause, or to the other clauses in the section, but he merely wished to point out to the Government that, if the land was to be taken under the operation of this clause, they might as well give up the idea of making a railway at anything like a profitable rate in New Zealand.

Mr. HALL wished to ask the honorable gentleman a question with regard to certain railways that would come under the operation of this Bill. The Bill imposed certain conditions and regulations upon railways constructed under its authority, but there were certain railways which had been already authorized to be constructed, and which, he presumed, would receive assistance out of funds to be raised for the purpose of this Bill. He wanted to know in what condition they would be placed—whether they would be regulated by this Bill, or subject to their special Bill?

Mr. VOGEL said it would be time enough to raise the question when the subsidiary Bill was passed, authorizing the construction of these railways. It would be quite foreign to the purposes of this Bill to burden it with reference to any particular railways.

Mr. RICHMOND thought that the opinion of the Attorney-General should be taken on the question, whether the land reserved under the ordinary Crown grants for roads, was not available for railways at the present moment.

Mr. FITZHERBERT sympathized with the honorable member for Mongonui, because he felt

that great danger lurked in that scheme for compensation. The speculator would be before the Government in every direction. As soon as ever this Bill was passed, he would be ahead everywhere; and then they would find that they would have to buy him out at a cost which would form a very important percentage upon the whole cost.

Mr. GILLIES was not speaking theoretically, but looking practically at what had occurred in the case of the Auckland and Drury Railway. The consequence in that case was that the money which ought to have been spent in making the railway was spent in purchasing the land, at a price exceeding the total value of the estates through which the railway passed. The honorable member for the Hutt was right in saying that the speculator would be in advance of them. Orders had gone from this city, since this Bill had been placed in the hands of honorable members, to purchase lands wherever the railway would pass through. He would suggest to the Colonial Treasurer that unless some mode of valuing the land, before and after occupation, were adopted, it would be ruinous to attempt to make a railway under the provisions of that clause.

Mr. VOGEL said that there was very little like precedent to guide them in adopting such a proposition. He was convinced that if they introduced such a condition into the Bill, there would be no chance of the Bill becoming law, for if they succeeded in evading the vigilance of the honorable member for Heathcote, they would not be able to evade the vigilance in another place. He was free to admit that it was the intention of the Government to set its face against exorbitant compensation. If land was not given on reasonable terms the railway would not be constructed. It was absurd for people to be demanding large compensation for the privilege of constructing a railway, to secure which they ought themselves to be ready to pay a large proportion. It would be useless to attempt to incorporate, at present, the provisions contemplated by the honorable member. All that they could make up their minds to was, that the land must be given on reasonable terms or they would get no railway; the rest must be left to public opinion and private interest. It was only when companies were anxious to construct a railway that persons along the route seized the opportunity for obtaining undue compensation.

Mr. MOORHOUSE said that, in the Province from which he came, they had had sufficient experience of the evil which the honorable member for Mongonui wanted to avoid. When the private estates along the Lyttelton and Christchurch Railway were extinguished, the Superintendent was instructed to negotiate for the purchase of land along the line. He began by private arrangements, and succeeded in extinguishing the titles to the land for the main part of the distance; but as soon as the public became sufficiently aware of the advantage of avoiding private negotiations and making their arrangements under provisions like those in this Bill, the cost of the land became, not twice, but ten times as

much as it was before. He knew an instance in which he bought some land, part of which was required for the railway—a gentleman who held the balance of the estate got five times as much for one acre as he (Mr. Moorhouse) gave for five acres. Both were parts of the same estate, but the valuable compensation was gained by process of law in the one case, and the purchase in the other case was effected by private contract. His experience was, that the sympathies of that part of the public who were called upon to judge on such matters as this, were not with Government but with the unfortunate people who acquired four, five, and even ten times as much for their land as it was worth. In the Province of Canterbury twenty times the actual value of an estate had been given for it for this purpose.

Mr. RICHMOND would suggest that it would be worth while to add to this part of the Bill a clause to the effect that every Crown grant given after the passing of this Bill, should have expressly reserved the right of the Government to make a railroad. It appeared to him that the only mode of dealing with compensation would be by means of a peripatetic tribunal. The local tribunals would always give judgment against the Government; but an independent tribunal might be appointed to perform this particular duty, which would report honestly in every case where compensation was really due, and thus save the country from an immense deal of expense. He would also suggest to the Colonial Treasurer whether it would not be desirable to add to this part of the Bill a clause declaring that the right of the Government to make roads, extended to making railroads through any land granted by the Crown.

Mr. VOGEL said the Government contemplated introducing a Bill of the kind.

Clause as read agreed to.

Clause 68.—Clauses relating to compensation to be served. Agreed to.

Clause 69.—Power to lease lands not required. Agreed to.

Clause 70.—Authority to pay money awarded for compensation. Agreed to.

Clause 71.—Deviation from line of railway. Agreed to.

Clause 72.—All lands, &c., vested in Governor. Agreed to.

Clause 73.—Penalty on commission of certain offences on railways.

Mr. CRACROFT WILSON, C.B., said there was a specific penalty for putting gravel or anything upon a railway, and allowing animals to stray upon the line; but he did not see any penalty specified in the Bill, for offences which engines committed, and which sometimes set fire to stacks, to grass, and to corn fields.

Mr. VOGEL.—The common law provides a remedy for that.

Clause agreed to.

Clause 74.—Power to arrest persons committing offences against regulations. Agreed to.

Clause 75.—Tolls and fares. Agreed to.

Clause 76.—Land, &c., vested in the Governor. Agreed to.

Clause 77.—Powers vested in the Governor. Agreed to.

Clause 78.—Construction of waterworks to be subject to laws and regulations in force in the gold field in which they are. Agreed to.

Clause 79.—Lands Clauses Consolidation Acts incorporated. Agreed to.

Clause 80.—Sections of this Act to apply also to works under this part. Agreed to.

Clause 81.—In the exercise of any powers given to the Governor by this or the third part of this Act, he shall do as little damage as can be, and shall, out of such moneys as shall be applicable to the construction of such works, make compensation to all persons for all damage sustained by them through the exercise of such powers, and for the use of any land on which any races or aqueducts are taken or pipes laid: Provided that no compensation shall be made in respect of any damage sustained in respect of the taking or diverting water, either permanently or temporarily, from any rivers, streams, or natural water-courses; and such compensation as aforesaid shall, if the Governor and party entitled cannot agree, be settled as in cases of disputed compensation under "The Lands Clauses Consolidation Act, 1863."

Mr. W. H. HARRISON wished to draw the attention of the Government to a very important omission in this clause, to provide compensation in cases where waters were taken from a head stream. It would be manifestly unfair that the Government should be allowed to take the waters without making compensation to those persons in whom the right to the water existed under the Gold Fields Act. He would suggest to the Colonial Treasurer that he should reconsider this provision of the Bill, so far as private rights were affected.

Mr. VOGEL said the clause as it stood was a transcript of one in the Victorian Act. He would suggest that, by inserting the word "natural," the objection was removed, as that would entitle parties to claim compensation for water-races.

Mr. BARFF thought the alteration proposed by the honorable member did not at all meet the case. The regulations made under the Gold Fields Act of 1866 provided for the diversion of streams of water, and gave a legal title to persons who held possession of them. The Colonial Treasurer appeared to think that if the word "natural" were introduced it would prevent any great injustice being done to holders of races; but he thought that was not the case. As the clause stood at present, the water would be diverted to the manifest injury of persons who held water-rights immediately below it, and property acquired under the Gold Fields Act would be taken away from the holder of that right.

Mr. VOGEL said the honorable member wanted to lay down the principle that there was to be compensation to all owners of water-races below the point at which the divergence would be made. If it were to be held that all such owners were to receive compensation when the stream was tapped higher up, the clause had better be struck out. The permission to the water-races which was

granted was subject to regulations. If it had been so, more careful provision would have been necessary in the past. But, seeing that nearly all the streams on the gold fields had been tapped more or less, £300,000 would be inadequate to satisfy such claims to compensation as the honorable member had indicated.

Mr. W. H. HARRISON said he was not in the House when clause 78 was passed, but on reading it he saw that it provided all that was necessary.

Mr. HAUGHTON presumed that the races undertaken under the Act would be carried on under competent supervision, and, consequently, there could not be any such result as the honorable member for Westland South had described.

Mr. KYNERSLEY said if the clause were passed without alteration there was no security for water-races, and there was nothing to prevent the Government from taking the water-races from the creek by which properties were supplied, and thus render them valueless. He moved that all the words after "laid," in the seventh line, be struck out.

Mr. MAIN said there were other interests besides the gold fields interests to be considered. No provision whatever was made for freeholders and tenants of the Crown who used the water for useful purposes, and who had expended large sums of money in doing so. In the promiscuous manner in which the water-races had been formed on the various gold fields, it was impossible to carry on any public works of a general character if the amendment of the honorable member were carried; he believed, however, that those other persons who were interested would be perfectly willing to forego any private rights they might possess, and allow the Government to step in and divert any stream which might be brought in to any particular gold field, and the Bill provided for compensation when any loss or injury was sustained.

Mr. BARFF did not see why compensation should not be given in all cases where an individual had a wrong inflicted upon him to the extent of taking away his living and his property. He hoped the Government would accept the amendment of the honorable member for Westland North. He believed all the gold fields members except the honorable member for Hampden would agree that if the words referred to were left in the Bill, an incalculable injury would be inflicted upon the miners.

Mr. KYNERSLEY would divide the Committee on the clause, because he thought the Governor in Council had no more right to take away a man's water-right without giving compensation, than to take away any other property. He pointed out that there were conflicting provisions in clauses 78 and 81.

Mr. VOGEL said the question was whether the Government would be under greater disadvantage in constructing works, than miners would be. The Act was a benefaction to miners, and honorable members wanted to make the Government pay for being allowed to bestow that benefaction.

Mr. KYNERSLEY said he knew it would be

no use for him to press his amendment. He would simply say that if, as the honorable member for Hampden and the Colonial Treasurer stated, no injury could be done to anybody under clause 78, clause 81 was quite unnecessary.

Mr. RICHMOND said they had heard a great deal about the hardships which might arise to pastoral property from the popular desire to transfer that property to the general public for the same uses, and provision had been made in the Otago Hundreds Regulation Bill to protect the holders of pastoral rights, and he thought that the holders of water-rights on gold fields, who had expended large sums of money in bringing water for many miles over the country, were as much entitled to protection as the holders of pastoral rights were. He thought there was a plain possibility of injustice arising under the Bill as it stood in that respect.

Mr. WEBSTER objected to those words in the clause which had been referred to by the honorable member for Westland North. If clause 78 were correct, the provision was unnecessary, and if it were not, it was a mischievous provision, as the warden might be obliged to give powers to the Government which he would not give to private individuals.

Amendment withdrawn, and clause as printed agreed to.

Clause 82.—Rates for use of water. Agreed to.

Clause 83.—Obstructing officers.

Mr. KYNNERSLEY had no objection to the clause, but he wished to point out that while the penalty for obstructing officers under this clause was a sum not exceeding £5, under clause 60 the penalty was a sum not exceeding £50.

Clause agreed to.

Clause 84.—Penalty for illegally taking water. Agreed to.

Clause 85.—Governor may delegate powers, and to whom. Agreed to.

Clause 86.—Power to appoint officers.

Mr. VOGEL moved the following amendment:—"To insert in lieu of the word 'shall' in the seventh line, the words 'may until the end of one year after the commencement of the engagement of any such officer,' and to add at the end of the section, 'and thereafter shall be paid out of such moneys as shall be specially appropriated for the purpose by the General Assembly such salaries as shall also be determined by it: Provided, however, that in the case of engineers or other skilled persons engaged in Europe or America for service in New Zealand, the Governor may, if he thinks fit, enter into engagements with such persons for a term of years not exceeding five years from the commencement of such engagement.'" The effect of the amendment would be to give the Governor power to make an engagement for one year, after which the rate of remuneration would be subject to the votes of the Assembly. To skilled persons and engineers not at the time in the Colony, the Governor would be empowered to give engagements for a period of five years.

Mr. HALL saw no reason for acting differently from the colony of Victoria in a similar case,

where the control of the salaries of the officers of the Government was in the hands of the Assembly. Under "The Railway Loan Act, 1865," the salaries and wages of all officers appointed for the purposes of that Act were such as should be sanctioned by the Assembly. Here it was sought to take the control of these payments out of the hands of the House. The amendment proposed by the Colonial Treasurer provided that the power of the Governor to pay salaries should be limited to twelve months after an appointment. That limitation was illusory, for if the authority to pay those officers lapsed, there was nothing to prevent the Governor from appointing the same officers again. He would, therefore, move an amendment, that instead of the words "end of one year after the commencement of the engagement of such officer," there be inserted "until the end of the next session of the General Assembly." He thought that was as much as the Government should require. Even in the amended form proposed by the Colonial Treasurer, the clause was an unlimited Appropriation Act in the matter of salaries. He had no objection to engineers being engaged out of the Colony for a considerable period, as he believed that gentlemen would not come to the Colony unless they had some security for holding their office for a fixed term. That rule did not apply to officers appointed in the Colony. He did not see why any distinction should be made between those and any other officers in the employment of the Government.

Mr. VOGEL believed that if the honorable member were introducing a Bill, the extent of the engagements under which he was not able to realize, he would propose a clause to the same effect. A provision of the same nature was made in the Westland Bill. In bringing in such a Bill as the present, it was impossible to state what officers would be employed, and there was no other course than to ask for the power now sought. If another course were adopted in Victoria, it was well known that the Government there made appointments frequently, for which they received an indemnity from the Assembly. The Government could not come down with any estimates as for the appointments that would be made under the Bill. Even if they were able to do so, it would be subjecting them to considerable inconvenience, owing to the number of applications that would be made. There were many persons whose services would be exceedingly valuable, but who could not be secured by the Government unless they had at least a security for a year.

Mr. HALL said that the honorable member had misunderstood him. He quite admitted that it was impossible for the Government to say at the present time what appointments it would be necessary to make, and he had no objection to give a *carte blanche* for the next twelve months; but by the next session of the General Assembly the Government would be able to know what assistance they required. The Colonial Treasurer would be really aided in securing the services of competent persons, if their salaries were secured by the vote of the House. The Assembly should, after next session, vote the salaries of officers

connected with public works in the Colony in the same way as those of other officials.

Mr. BUNNY said there was very little difference between the proposal of the Government and the amendment of the honorable member for Heathcote. If the Government appointed an officer on 1st January next, they would be empowered to provide the salary up to the following January; and the amendment was to pay so much for the year, the amount to be afterwards determined by the General Assembly. The Government could not say the number of men that would be required, and the House gave them power to engage the number that would be found to be necessary, and to give them a salary for twelve months.

Mr. RICHMOND would impress upon the Government the fact that about one of the worst places they could go to for engineers for their purpose would be England. The wisest thing the Government could do would be to engage the services of the gentleman who constructed the Norwegian railways—Mr. Karl Pihl—if his services were available. The salary to be paid such a man would be no consideration whatever as compared with the services of a man whose heart would be in the work, as shown by the result of the work referred to, which was carried out on a large scale, honestly, economically, and satisfactorily. It was worthy the consideration of the Government, if they could not obtain that gentleman's services, to get his advice as to the proper persons to be appointed for the work they had in hand.

Mr. Hall's amendment negatived, amendment as printed agreed to, and clause as amended agreed to.

Clause 87.—Superintendent to act with advice of Executive or Provincial Council. Agreed to.

Clause 88.—County of Westland to be included in term "Province." Agreed to.

Clause 89.—Accounts to be laid annually before Parliament of sums expended, contracts entered into, and proceedings taken under this Act. Agreed to.

Clause 90.—Moneys raised outside the Colony to be paid to bank to credit of "The New Zealand public works account;" how to be withdrawn from account.

Mr. VOGEL said that this clause, and the four remaining clauses, had been submitted to the Committee on Public Accounts, who had made certain amendments in them, which the Government intended to carry out in the manner indicated in the amendments which he would propose in those clauses. Instead of power being given to any one agent to withdraw sums of money from the New Zealand public works account at the bank or banks, that power was only to be given to two or more agents. The money was to be paid at home to the credit of the public works account. The 94th clause would be altered so that "The Public Revenues Act, 1867," should, so far as applicable, apply to the public works account. It was provided that this account should be kept separately at the bank. After clause 90, a new clause would be introduced, providing that sums of money obtained on requisition should be

available for expenditure within six months. It would not include the same items again, but might include some part of the same period for which provision had not been made by requisition. Under clause 92, the Controller would have power to issue orders on being satisfied that the requisition was in accordance with law. He would propose the amendments in the clauses as they stood, and afterwards ask leave to introduce the new clauses.

Mr. JOLLIE wished to know if the new clauses applied to the immigration account.

Mr. VOGEL said they applied to the whole of the accounts in the Act.

Mr. HALL thought it was a pity the honorable member could not give the House an opportunity of really considering this amendment; for his own part, it was impossible for him to make out, on the spur of the moment, from merely hearing the amendment read, what the effect of it would be. He perceived that in one particular the honorable gentleman had not adopted the recommendation of the Public Accounts Committee, that this new account should be a branch of the special fund. The honorable member was going to make it, instead, a fifth branch of the public account. He thought that after the Public Accounts Committee—which was not selected on any party basis, but was composed of members taken from both sides of the House who gave attention to the subject of accounts—had recommended that it should be made a branch of the special fund, the Colonial Treasurer should not, without notice, have come down with an entirely different proposal, and that he was bound in courtesy to the Committee to have given his reasons for not adopting their recommendation.

Mr. VOGEL said the honorable member was using words to which he failed to attach a distinct meaning. A branch public account—what did that mean? It became a mere question on paper as to the mode of keeping an account. They might call it a branch account, or what they liked, but the Government were going to restore the distinction of keeping these accounts separate, inasmuch as, if the special fund was not kept separate from other accounts, it would be a farce to call this a branch of the special fund account, and allow the special fund account to be mixed up with other accounts. He was advised that there would be no practical difficulty in putting the matter in the way he had stated. He would not use the word "branch," because it conveyed no definite meaning; but the Government were advised that this money should be kept as a separate account in the bank, to be operated upon by the Controller and Paymaster-General. He trusted that honorable members would not, on account of words which represented no ideas, allow themselves to suppose that there was not ample security that the money would not be expended for the purposes of the Act. If they did not take this precaution, they would have the borrowed money mixed up with the consolidated revenue. He trusted, before the session was over, to be able to prevent the special fund being operated upon by having a separate bank account, so that it might not be mixed

up with other money borrowed for a different purpose. Whether it was called a "branch" account or not he did not care, but it must be kept as a distinct account. If they called it a branch special fund, it would be so ambiguous as to lead to misconception. The money would be paid into an account in England, which would be the same as the public works account in the Colony, and would thus go to the right account the moment it was borrowed. He trusted that the House would bear out the Government in its desire to introduce a useful check, and to prevent a mixture of this money with other moneys.

Amendment agreed to, and clause as amended agreed to.

Clause 91.—The agents to produce orders to banks before drawing moneys. Only such sums to be drawn as wanted for immediate expenditure. Agreed to with verbal amendments.

Clause 92.—Controller to issue orders when it is shown that Governor has given directions to raise the moneys. Agreed to with verbal amendments.

Clause 93.—At end of each month, moneys to be transferred to public works account, in New Zealand. Agreed to.

Clause 94.—Moneys received or raised in Colony to be paid to separate account at the public account, then to be withdrawn. Agreed to.

Clause 95.—Paymaster to keep separate account at the bank, of moneys withdrawn. Agreed to.

New clause.—The Governor may from time to time cause such inquiries, reports, and surveys to be made, and such acts and proceedings to be done and taken, as he may think necessary and sufficient for the purpose of ascertaining the waterworks that ought to be constructed under this Act, and the mode of construction thereof, and for such purposes may from time to time employ and appoint and remove such engineers, surveyors, draftsmen, clerks and others as he may think fit. Agreed to.

New clause.—There may be issued and applied out of any of the moneys authorized to be raised under the said Loan Act for supply of water to gold fields, and made applicable to the purpose by the General Assembly, all such sums of money as the Governor may from time to time order for the purposes mentioned in the preceding section of this Act. Agreed to.

New clause.—There shall be a Minister of Public Works to be appointed from time to time by the Governor, and such Minister or the Minister for the time being acting for him shall have charge of the administration of this Act, and he may be assisted in the administration of this Act by any persons as a board to be from time to time appointed by the Governor for the purpose, which appointments the Governor is hereby authorized from time to time to make or revoke as and when he may think fit; and a report of the proceedings of such Minister or board shall be annually laid before both Houses of the General Assembly by the Minister of Public Works. Agreed to.

Mr. HALL moved that the word "may" in the fifth line be struck out, and the word "shall" substituted for it. This new clause

provided that the Act should be administered by a Minister of Public Works, which was a great improvement: it also provided that the Minister might be assisted in the administration of the Act by a board of works. The constitution of the board was left entirely at the discretion of the Government, and its functions were not defined so clearly as he thought they should have been. It was left entirely to the Government to make what use of the board they thought proper. He believed the Government would find such a board an exceedingly useful machine. It was very desirable, in the interests of the public, that all proposals in respect to public works, for letting contracts, &c., should be submitted to the board, and that it should report upon those proposals before the Government finally decided upon them, although the board might not have power to overrule the Government. The responsibility of the administration of the Act must, of course, be left with the Government of the day. But what he and several other members had been striving for was, that the Government should not administer the enormous powers given to them by the Act, without being advised in their exercise by a board constituted in any way which the Government might think best, and comprising several professional men. All proposals for railway or other works should be submitted to this board, and its advice on the subject, and especially its reasons for objecting to a particular course, should be recorded. From what he had been able to ascertain, he believed that this provision was one which would commend itself, not only to the House, but to the public generally. The country would feel a much larger amount of confidence in the administration of the Act if such a course were pursued. The Colonial Treasurer did not altogether deny the desirability of a board, but left it optional for the Government to appoint it. He (Mr. Hall) could not see any reason for this option; either it was a good thing to have a board, or it was not. If it were a good thing, why should the honorable member merely propose that the Government "may" appoint a board? If they did not think it was a good thing, why did they put the power of appointment in the Bill at all? He felt so strongly that it was exceedingly desirable that there should be that reasonable amount of publicity about the proceedings of the Government in this matter, which would be insured by all its transactions passing through the board, that he should press the amendment he had moved, and trouble the Committee to divide upon it.

Mr. VOGEL said the Government would be very willing to accede to the amendment, but that it might create a very great difficulty. The meaning of the words "be assisted," in the clause, was one which, without any further qualification, would be open to great doubt. The Government were willing to take the power to appoint a board to assist the Minister in carrying out the Act, but they would not consent that the board should be in a position to fetter the power of the Government. They considered that the power should rest where the responsibility rested.

No one denied the value of the board; but they were utterly unable, this year, to ask the House to constitute it as it ought properly to be constituted, that was to say, the whole of its constitution to be set forth by Act. He was willing, on behalf of the Government, to undertake that they would come down, when Parliament met again, with an Act to constitute the board of works. In the meantime, they would simply endeavour, as far as they could, to appoint a board as usefully constituted as possible. They would place as much information as they possibly could before the House next session. He trusted that that concession would satisfy the honorable member. It was made in perfect good faith. It would be folly for the Government to fetter themselves in such a manner as would force them to come down to the House and say that they had not been able to make use of the Bill. If the Government had the power of constituting the board temporarily, they would come down next session and ask for a proper constitution of the board, for a definition of its powers, and for the introduction of such safeguards and of such provisions as might be calculated to make the Act work with the greatest efficiency. He trusted that the Committee would be satisfied with that assurance, and that the honorable member would withdraw his amendment.

Mr. HALL said the assurance which the honorable gentleman had just given the Committee, placed the matter on a different footing to what it had previously occupied, and it really gave to him the object which he had sought to obtain by his amendment, so far as he could reasonably expect to obtain it during the present session. On the faith of the promise which the honorable gentleman had given, he was quite willing to withdraw his amendment.

Mr. VOGEL said that the promise was distinct. The Government hoped to get out competent engineers, who would be members of the board. He was not reflecting on the service when he said that since Mr. Balfour's death the Government were without what, for public works, might be considered professional assistance; and if they constituted a board now, it might be one which they might afterwards desire to abolish, which would be very offensive to the gentlemen who acted on it temporarily.

Amendment withdrawn, and clause as printed agreed to.

New clause.—Requisition for moneys. Agreed to.

New clause.—Agents to keep accounts. Agreed to.

The Bill was reported to the House with amendments, which were ordered to be considered next sitting day.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received a message from the Legislative Council, transmitting the following Bills:—

The Bankruptcy Bill, which was read a first

time, and the second reading fixed for Thursday.

The Green and Spencer Land Claims Bill, which was read a first time, and the second reading fixed for Friday.

SALES FOR NON-PAYMENT OF RATES BILL.

This Bill was further considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

PAYMENTS TO PROVINCES BILL.

Mr. VOGEL moved that this Bill be recommended, in order that there might be inserted a new clause making provision for the difficulty which had been found to exist with respect to the Maori inhabitants.

Mr. HALL wished to know whether the honorable member had any objection to the clause of which he had given notice, providing that road boards should furnish returns.

Mr. VOGEL said that he had no objection.

Mr. FITZHERBERT said that he had intended to propose the introduction of a clause in respect to the distribution of the £50,000 the other evening, but he was called away at the time. He had thought that the principle was agreed to, but on his return he found that it had been entirely abandoned under some intention of postponing the Bill. He however merely wished to draw attention to section 15, which gave power to the Governor in Council to amend any proposed scheme before it was adopted. He understood that the honorable gentleman was favourable to the proposition that every road board should receive 20s. for every £1 of rates.

Mr. VOGEL said that such was not the case. What he stated was, that one-half of the money paid to road boards in each Province should be divided in proportion to the rates—not 20s. in the pound.

Mr. FITZHERBERT.—Quite so. But as the honorable gentleman was favourable to that, he desired to know whether, in any scheme that might be presented to the Governor in Council for approval, the Government would consider that they were carrying out a proper principle of distribution in regulating it so that all road boards might participate in the advantages to the extent proposed by the honorable gentleman. If he had that assurance from the honorable gentleman he should be content.

Mr. VOGEL said that the other evening he came down with a proposal, but the House would not entertain it. The honorable gentleman showed him some amendments, and he (Mr. Vogel) then stated that, as far as half of the amount divisible was concerned, it would be fair to divide the money amongst the different boards in proportion to the rates collected; but the House would not agree, and, from what transpired, he became more convinced than ever that he was quite right in what he at first stated. Remarks were made by some honorable members to show that the proposition would operate unfairly. The only thing which honorable members seemed to

agree upon was, that there should be nothing laid down. They agreed upon no principle, and he could not now hold out any hope to the honorable gentleman that he would be more successful than he was himself the other evening. The Government withdrew the amendment at the request of four-fifths of the members of the House. There could be no objection to the honorable gentleman proposing the amendment.

Mr. FITZHERBERT said he did not ask to be allowed to put it to the Committee, although he considered it a good proposal. He only asked that the honorable gentleman would, so far as the necessities of the country permitted, carry out these ideas, under section 15.

Mr. VOGEL.—In some parts of the country, yes. Where the boards are generally in working order, and the rates have been collected.

Mr. FITZHERBERT said he was quite satisfied with that explanation.

The Bill was reported with amendments.

Mr. VOGEL moved that the report be agreed to.

Mr. GILLIES moved that the Bill be recommitted, for the purpose of further considering clause 6. In that clause there was provision made for giving effect to a proposal contained in the financial statement, to give a certain amount to certain Provinces in respect of the Native population. There was also a sum to be given to the County of Westland in the event of its becoming worse off. In clause 6, what was foreshadowed in the financial statement was given effect to. There was to be a division of £8,000 amongst the various Provinces in the North Island in respect of Native consumption. He would refer to a passage in the financial statement in regard to this matter:

"There is some difficulty in deciding what contribution should be made on account of the Maori population. It would not be fair to give a contribution on account of those Maoris who roam about the interior, and who are apt to cost more than they contribute to the revenue; but there are Maoris on whose account a contribution should as justly be made as on account of Europeans. We have thought over many plans for estimating these, but we can arrive at no better proposal than an arbitrary one of £3,000 each to Auckland and Hawke's Bay; £1,500 to Wellington; and £500 to Taranaki. The Maori population of Hawke's Bay undoubtedly contributes very considerably to the revenue. The County of Westland also requires to be exceptionally treated."

That distribution was made purely on account of the Maori revenue-contributing population, and he would say that the distribution was utterly unequal and unfair. Out of £8,000 to be distributed, £3,000 was to be allocated to Auckland and £3,000 to Hawke's Bay. He ventured to say that in the Province of Auckland there were resident two-thirds of the whole Native population, as would be seen from a return laid on the table of the House. There was a much larger number of civilized Natives, living in the style of Europeans, north of Auckland, than were to be found in Hawke's Bay, and yet the contribution

was the same. That excessive contribution to Hawke's Bay might be defensible upon other grounds, but he would like to have the matter discussed in Committee, where they could hear arguments *pro* and *con*. There were 23,000 Natives living in the Province of Auckland, and but 3,000 in the Province of Hawke's Bay, and yet the latter Province was entitled to an equal contribution, which seemed to him to bear upon the face of it an unfairness. He only asked that the Bill should be recommitted for the purpose of discussing the matter, and when in Committee he should be prepared to go more into detail, and show more distinctly and definitely the great injustice that was being done to the Province of Auckland. If the Province of Auckland was entitled to £3,000, the Province of Hawke's Bay was not entitled to nearly so much, and certainly was not entitled to double the amount that was set apart for the Province of Wellington. He would move that the adoption of the report be postponed until next sitting day, with the view of having the Bill recommitted.

Mr. VOGEL wished to say that the Government could not agree to the recommitment of the Bill. He was sorry the honorable member was not in his place when the Bill was brought on for consideration, but he did not think it would have made any difference had he been present. The Bill was framed so as to apply as equitably as possible to all parts of the country, and Auckland had been very fairly dealt with. The honorable member had stated most positively and explicitly that he would support the Government in their financial measures, and he (Mr. Vogel) concluded that the honorable member would not offer any objection to the final passing of the Bill. It was desirable that it should be got off the order paper.

Mr. FOX was rather in doubt as to whether the honorable member for Mongonui was quite correct in his estimate of the contributing power of the Natives in different parts of New Zealand. No doubt, taking the geographical boundaries of Auckland, Hawke's Bay, and Wellington, it would appear that there were a greater number of Natives in Auckland, and that they contributed a larger amount of the revenue, but he did not think the King Natives, in the Ngatimaniapoto country, had contributed much to the revenue. They had been living in a state of rags, and had contributed very little to the revenue. The great source of supply to the interior was not from Auckland, but from Wanganui and Hawke's Bay. All the supplies to the interior, during the war, came from Wanganui and Napier. The same applied to the Natives living at Taupo. The whole of the Natives were supplied from Cook Strait and Poverty Bay. The honorable member spoke of the large number of Natives in the north of Auckland Province who lived according to European customs and habits. He would ask the honorable member to visit Napier, where he would see a style of dwellings and habits of life which he would see nowhere among the Ngapuhis; he would see a number of carriages belonging to the Natives coming into town with

their wives and families, who were all well attired; he would see as good houses as any on the Remuera Road, and that the Natives lived in a manner not to be surpassed by any Europeans. The rents they received from the Europeans were estimated at between £30,000 and £40,000 a year. They had fine grass farms let to Europeans at £1 an acre. In no other Province did the expenditure of the Natives amount to anything like the proportion of that of the Hawkes' Bay and Wanganui River Natives. He trusted that these facts would reconcile the honorable members for Auckland to what might seem to be a little unfairness in the distribution of the money.

Mr. CREIGHTON said if ingenuity would convince the House that a wrong cause was a right one, the speech of the honorable member who had just sat down would do so. The number of Natives in the Province of Auckland was 23,738, and in the Province of Hawke's Bay, 3,112. It was his good fortune, some time ago, to take a tour in the Province of Auckland with the honorable member at the head of the Government, and although he did not see Natives with carriages and pairs driving into the town, he did see a large number of Natives living in European style, and dispensing hospitality in the manner peculiar to Maoris. The Natives of the Province of Auckland were large consumers of dutiable goods, and contributed largely to the colonial revenue; and though in their family circles they might not consume a large quantity of imported goods, yet they greatly exceeded, in the aggregate, the contributions to the revenue by the Natives of Hawke's Bay. With regard to the remarks of the honorable member at the head of the Government, he must say that, on his last journey from Auckland to Wellington he visited Napier, and although he drove to the pa of an honorable member of this House, and although he saw a dog-cart with a coat of arms emblazoned on the panels, he did not see any house to be compared with the villa residences at Remuera. He certainly saw a Maori pa, but he had seen, in Taranaki, Maori pas and houses as good as any that he saw near Napier on that occasion. He thought the argument of the Colonial Treasurer was unanswerable—that his honorable friend the member for Mongonui, having pledged himself to support the Government through thick and thin, could not now press his amendment. As the Bill had slipped through Committee without undergoing the vigilant supervision of that watchful eye which the honorable member had promised to bestow upon it, he thought the best thing the honorable gentleman could do would be to withdraw his amendment. At the same time, he hardly agreed with the new argument adopted by the Colonial Treasurer—that, inasmuch as the capitation allowance for the Province of Auckland was to be made upon an exceptional year in regard to the European population, therefore the Province of Auckland should not have a fair distribution of revenue for its Maori population. But, after all, it was immaterial whether Auckland received £3,000 or £4,000.

Mr. GILLIES wished to press his amendment.

Mr. ORMOND had raised no objection to this Bill, although the Province that he came from was the Province that suffered by it. He was not going into the larger question of whether the Province of Auckland was entitled to a larger amount or not, but he would put it to the House whether it was not shown, by actual receipts, that the Province of Hawke's Bay was a loser by accepting this poll money. In addition to that, the Province lost £20,000 in revenue, collected in other places, upon goods consumed in Hawke's Bay. That was a large loss compared with other Provinces. The Native population in Hawke's Bay were very large contributors to the revenue. They were in receipt of large rentals and received large amounts from the sales of land. They contributed to the revenue, in various ways, largely in excess of the Native population in other portions of the Colony. In Westland, where the loss was shown to be £13,000 in actual receipts, their loss was not to be compared with the loss which would be sustained by the Province of Hawke's Bay by accepting this capitation tax. He had not opposed this Bill; at the same time he knew, and all the people in his part of the country knew, that they were likely to suffer by it. He hoped, however, that as the whole arrangement had been accepted by the House it would not be allowed to be disturbed.

Mr. WILLIAMSON thought that the Government should accede to the request of the honorable member the Superintendent of Auckland, and give them an opportunity of reconsidering this measure in a Committee of the whole House. He could not agree with what had fallen from the honorable member at the head of the Government in regard to the fair proportions which he argued had been observed in the distribution of this money. It was well known that in the north of Auckland the Natives had been regular and continuous contributors to the customs revenue, and when the honorable gentleman said that a good deal of the supplies which were consumed in other parts of the Province, south of Auckland, might be brought to them from Wanganui, from Wellington, and from Nelson, he might add that during the last war which was conducted there he believed the munitions of war had been largely supplied to the Natives in that way. The honorable member would find, in the parts of the country north of Auckland, Natives who lived in a princely style. One of them fitted up a palace for the reception of His Royal Highness the Duke of Edinburgh, and some of them had incomes which ranged from £3,000 to £4,000 a year. There was no smuggling going on amongst them; he believed that was carried on chiefly in the Provinces of Nelson and Hawke's Bay. The Hawke's Bay Natives had never been notorious for their loyalty, and it was necessary to carry on a large expenditure there in order to keep the Natives in subjection. Such an expenditure had never been required in Auckland. He thought the request of the Superintendent of Auckland should be complied with by the Government. It would be more satisfactory that the distribution

which the Government had made should be debated in Committee rather than by the House itself, and it would then be for the honorable gentleman to show whether it was necessary to disturb the arrangement which had been made or not.

The House then went into Committee on the Bill, which was reported with amendments.

Question put, "That the report be considered forthwith," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	26
					—
Majority against	...	...	...	...	18
					—

AYES.

Mr. Collins,	Mr. J. C. Wilson, C.B.
Mr. Driver,	
Mr. Hall,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Ludlam,
Mr. Ormond,	Mr. Webster.

NOES.

Mr. Armstrong,	Mr. Macfarlane,
Mr. Barff,	Mr. McLean,
Mr. Brown,	Mr. Moorhouse,
Mr. Bunny,	Mr. O'Neill,
Mr. Carleton,	Mr. Peacock,
Mr. Carrington,	Mr. Rolleston,
Mr. Creighton,	Mr. Stevens,
Mr. Dignan,	Mr. Vogel,
Mr. Fitzherbert,	Mr. Williamson,
Mr. Fox,	Mr. W. Wood.
Colonel Haultain,	
Mr. Howorth,	<i>Tellers.</i>
Mr. Kelly,	Mr. Gillies,
Captain Kenny,	Mr. Main.

Motion negatived, and report ordered to be considered next sitting day.

The House adjourned at one o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 17th August, 1870.

Native Reserves Bill—*Hansard* Reports—Leave of Absence—Standing Orders on Private Bills—Married Women's Property Protection Bill—Sales for Non-payment of Rates Bill—Marborough Sale of Reserves Bill—Third Readings—Real Property Bill—Unincorporated Boards Suits Bill—Court of Appeal Bill—Borough Schools Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

NATIVE RESERVES.

The Hon. Mr. SEWELL brought up the report of the Select Committee on the Native Reserves Bill, which was read, and ordered to be printed.

HANSARD REPORTS.

The Hon. Mr. DOMETT said that he desired, before proceeding to the business of the Council, to call attention to a matter which was personal

to himself, and which also affected other honorable members. He alluded to the power which appeared to be given to the reporters of the proceedings of the Council, to attribute whatever language they might think proper to honorable members. It seemed to be the rule, that whatever the reporters might catch of the meaning of an honorable member, was to be set down in that book and recorded against him permanently, with all the authority of a Government publication. For himself, he might say that he had not the slightest ambition, and never had, to be an orator or a public speaker. He was quite willing to take his full share of all the platitudes or inconsistencies which he might utter in common with other honorable members; but he did object, and he thought it was a hardship, to have absurdities and stupidities set down to one when one was not guilty of them, and to have them permanently recorded, the result being that one was gibbeted as a jackass as long as printed paper would last. He should not enter into the particular case more than to say that he alluded to some remarks which he had made upon the Colonial Reciprocity Bill, in which he made some unusual observations, but certainly not the asinities which were attributed to him. It appeared that the proofs were sent to members to correct, but, unless they were corrected with the rapidity of lightning, the speeches were published as they were. The speech in question was sent to him to correct, and he thought that he had returned it in time, but, owing to a press of business, the matter had escaped his attention for one day. He considered that it was a great hardship that honorable members should be subjected not only to the possibility, but to the actual fact, of being reported incorrectly against their will; and he thought that any honorable member ought to be able to refuse to have his speeches reported unless they were given absolutely *verbatim*. No honorable member would maintain that the speeches were reported with that degree of exactitude. He should give notice to move that it be an instruction to the Reporting Debates Committee that if any member intimated to the reporters, or to the Committee, that he did not desire to be reported at all, his speeches should not appear. He was quite willing to be consigned to all the oblivion which that would bring, but he objected to be recorded, in that official and authoritative way, as a person devoid of ordinary reason, and as having made remarks which would justify a *de lunatico* inquiry being instituted against him.

The Hon. Mr. MENZIES concurred with much of what had fallen from the honorable member. The reports, occasionally, were extremely faulty. They not only failed to represent what had been said, but they actually inverted the meaning, conveying a sense directly opposite to that which was intended. That, however, was not always the case. Some of the reports required hardly any correction, but others could not be corrected at all, and it would be much less trouble to re-write the speeches. He would suggest to the honorable member that the whole difficulty might be met by adopting a course

which was proposed last session by his honorable friend Mr. Mantell, namely, that an asterisk should be affixed to every speech which had been revised by the honorable member who uttered it.

The Hon. Mr. MILLER must express his surprise at what had fallen from his honorable friend Mr. Domett, because, during the session, he had heard a great many members express—and he agreed with them—their extreme surprise at the wonderfully accurate reporting which had prevailed. He believed that many honorable members would admit that whole speeches which had been delivered in the Council had been so accurately reported as to require hardly a single correction. When honorable members complained of misreporting, they should consider that they might occasionally be led away by their feelings into a somewhat rapid and violent style of utterance, which rendered it extremely difficult to report them properly. They knew that his honorable friend Mr. Domett did occasionally warm up to his subject, and, at such times, it must be very hard, in fact almost impossible, to follow him. With respect to allowing any honorable member the privilege of saying that he should not be reported, he questioned whether it would be constitutional; indeed, he considered honorable members were bound to have their speeches reported. They were responsible for what they said, and, although it might be a very disagreeable responsibility, especially to members who had not, sometimes, a clear idea of what they meant to express, still, he thought that the public had a right to know what they did say. He certainly should not agree to allowing any member the privilege of refusing to be reported.

The Hon. Mr. HOLMES said that he had much pleasure in bearing testimony to the excellence of the reports. He had had scarcely to alter a single word in the reports of the speeches which he had made from time to time.

The Hon. Mr. GISBORNE must say, in justice to the reporters, that, considering the miserable accommodation which they had, and the difficulty of hearing distinctly, as well as the indistinctness with which many honorable members spoke, the accuracy of the reports was really wonderful. The difficulty had arisen from the fact that the honorable gentleman had not had time to correct his speech, and that was a difficulty which must sometimes occur, as they occasionally sat late on Fridays, and if the corrected proofs were not returned by Monday they would be too late. The Reporting Committee had laid down a rule, he thought a wise one, that if the proofs were not duly corrected and sent in, the speeches would be published as they were given by the reporters. He thought that the speeches delivered in the Council were very well reported. Of course, there was no objection, if members desired it, that their speeches should not be reported; but this case was merely accidental, on account of the honorable member not having had time to correct his speech. He (Mr. Gisborne) had looked over the speech, and it was apparent that some of the sentences had been put together hurriedly, but he really thought it would not have

taken the honorable member long to make the necessary corrections.

The Hon. Mr. GRAY said that he must bear testimony to the great accuracy which generally characterized the reports this session, but, at the same time, he must admit that there was a great inequality in them, which, he supposed, depended upon the person who was reporting. He did not agree with his honorable friend Mr. Domett, that any member, after making a speech, should have the option of retiring what he had said. If such a practice were allowed, a license would be given to debate which would be subversive of all order, and render the position of the Hon. the Speaker a most unpleasant one.

The Hon. Mr. WIGLEY took exception to the idea that honorable members were not to be reported. He must say that, even after the speeches were corrected, a great deal of nonsense appeared in *Hansard*. If some speeches were to be omitted there would be nothing consecutive in the reports of the debates, and allusions which might have been made to a previous speaker would have no weight at all. He could bear testimony to the courteous manner in which the reporters had behaved, and to the accuracy with which the speeches had been reported.

The Hon. Mr. McLEAN hoped that the Council would not assent to the proposition of the honorable member. Indeed, the Council could not afford to do so. If the honorable member's speeches were excluded, the speeches of all other honorable members might as well be left out, as the brightest jewels in the debates would be missing in *Hansard*. He could not agree with the statement that the reports were extremely accurate. As far as his reports were concerned, he could not recognize his speeches because they were so much improved, and, much to his gratification, a great portion of what he said was not reported.

The Hon. Mr. WIGLEY thought it would be a great assistance to honorable members if a time were fixed within which the speeches should be returned to the reporters' box.

The Hon. Dr. BUCHANAN concurred in very much of what had fallen from those honorable members who said that, as a rule, the speeches had been remarkably well reported; but, at the same time, he agreed with other honorable members that there were times when a great difference was manifest in that respect; but by correcting the slips, they had the opportunity of remedying any errors in the reporting, and it was well that there should be an opportunity of putting things right. He thought that honorable members had no reason to complain, and they had only themselves to blame if they were too careless or too indolent to return the slips within the proper time. The reporters were very hardly worked. There was not a large enough staff to have the work done properly at all times, and honorable members should bear with them and render them every assistance in their power.

The Hon. Colonel RUSSELL desired to say a word on the practical bearing of the subject. If honorable members would only speak out they

would be well reported. He would take the opportunity of giving a hint to two honorable members by saying that he seldom had the good fortune to hear either the Hon. the Colonial Secretary or his honorable friend Mr. Menzies. He thought the suggestion that the speeches which had been revised should be indicated by an asterisk was a valuable one, as honorable members frequently found that they had not time to correct their speeches.

The Hon. Mr. STOKES thought that the suggestion should be inverted, and that the proposal which had been made last session, by an honorable gentleman not now in his place, of marking by an asterisk the speeches which had not been corrected, should be adopted. That would be the most convenient course, because, as the great majority of speeches were corrected, the pages would be dotted all over with stars, whereas the principal thing to be noticed was the omission of such corrections.

The Hon. Mr. DOMETT said that honorable members had spoken as if his remarks had been directed against the reporters, which was not the case. He had brought up the subject, not so much against the reporters as against the desire to get the *Hansard* numbers out so rapidly. He was certainly not aware that he spoke in a particularly low tone of voice. Honorable members said that the speech to which he had alluded was very well reported, but he might refer, as an instance, to the last sentence, although, as it was a joke, it was not of much consequence. He had said that "John Bull's nervous system centred in his breeches pocket," whereas he was reported to have said, "John Bull, who had no sense, nor money, except to put in his breeches' pocket," the word "sense" having been, no doubt, mistaken for the word "centred." That kind of thing was calculated to make a person appear to be a fool, and it was a fair sample of the reporting of the whole speech. Not for one word or letter in that speech, as reported, would he be responsible. He did not know that he troubled the Council too frequently; indeed, he found the other day that in one of the volumes his name did not occur at all in the index, which was what very few honorable members could say. However, if the present system was to be continued, he should on all occasions, as far as possible, avoid speaking, so that he might not be subjected to the species of gibbeting to which he had referred, and, that he might not be tempted to speak, of course he must attend the Council as little as possible.

The Hon. the SPEAKER said that Mr. Barron had placed himself in communication with him on several occasions, and had always evinced the most earnest desire to give the Council a first-class shorthand writer. He had been often amazed at seeing the proofs of a previous day's proceedings placed in his hands at breakfast time the next morning. If any honorable member desired that alterations should be made in the system of reporting, it would be better to give notice of a distinct motion, instead of proceeding in this irregular manner.

LEAVE OF ABSENCE.

The Hon. Mr. MENZIES moved, That leave of absence for the remainder of the session be granted to the Hon. Mr. MENZIES, on urgent business.

The Hon. Colonel RUSSELL would not oppose the motion, but would ask the honorable member to reconsider his decision, because the most important business of the session—the Immigration and Public Works Bill—was about to be brought before the Council, and honorable members ought not in any way to evade their responsibility.

The Hon. Colonel WHITMORE, C.M.G., would be sorry to see the honorable member absent himself from the Council, but he was only following the precedent set by several honorable members in previous sessions.

The Hon. Mr. MENZIES desired to express his sense of the compliment which had been paid him by honorable members, but the business which called him away was of a very important nature.

Motion agreed to.

STANDING ORDERS ON PRIVATE BILLS.

The Hon. Mr. SEWELL moved that the names of the Hon. Colonel Kenny and the Hon. Dr. Buchanan be added to the Committee on Standing Orders on Private Bills.

Motion made, and question proposed, "That the names of the Hon. Colonel Kenny, and the Hon. Dr. Buchanan, be added to the Committee on Standing Orders on Private Bills."—(*Hon. Mr. Sewell.*)

The Hon. Colonel KENNY said that the honorable gentleman was under a misapprehension. He (Colonel Kenny) was a member of the Standing Orders Committee, but his honorable friend Dr. Buchanan was not. He objected to serving upon the Committee moved for, because the proposal of the honorable member arose out of the action which had recently been taken by the Committee on Private Bills. He had been a party to that action, and he did not intend to take any part in revising what had been already done. He hoped, therefore, that he would be excused from serving.

The Hon. Mr. SEWELL said that it had been considered desirable that there should be a revision of the Standing Orders on Private Bills, and he was anxious to place upon the new Committee the members who were on the Sessional Committee. Of course, if the honorable member objected to serve on the Committee, he would not press the motion. He had been misled as to what members were on the Sessional Committee, by confounding that Committee with the Private Bills Committee. He would ask him to withdraw his objection.

The Hon. Colonel KENNY said that the other day, after the Committee on Private Bills had done its duty in a certain case, it was sought to take evidence on the subject in another Committee. Nothing could be more irregular than the proposition. If he served upon the proposed Committee, he might do so with prejudiced ideas, and he therefore thought a fresh Committee should be appointed.

The Hon. Mr. SEWELL said he would withdraw the motion.

Motion withdrawn.

MARRIED WOMEN'S PROPERTY PROTECTION BILL.

The Hon. Mr. SEWELL moved, For leave to bring in a Bill founded on the report of the Married Women's Property Committee. That Committee was appointed to consider the subject of the law relating to the property of married women, and the Committee had reported, simply, that they had considered the subject, and recommended that the Bill appended to their report should be introduced during the present session. The object of the Bill was to extend the provisions of an Act, passed in 1860, relating to the property of women who had been deserted by their husbands, to other classes of cases; cases, for instance, where a wife had been subjected by her husband to cruelty, entitling her to claim judicial separation; or where the husband is living in open adultery, or addicted to habitual drunkenness. There was, also, a provision enabling a woman to have the care of such of her children as ought properly to be placed in the care of a wife under the circumstances mentioned.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Friday.

SALES FOR NON-PAYMENT OF RATES BILL.

This Bill was received by message from the House of Representatives, read a first time, and the second reading fixed for next sitting day.

MARLBOROUGH SALE OF RESERVES BILL.

The Hon. Captain BAILLIE, in moving the second reading of this Bill, said he felt that he must apologize to the Council, because this was the third time the Bill had been brought before it. For the information of honorable gentlemen who might not be acquainted with the facts of the case, he would state that these reserves were made some years ago; one by Mr. Stafford, two or three by himself, and several others by the Hon. Mr. Seymour. Some three years ago, Mr. Eyes, the then Superintendent of the Province, by publication in the *Gazette*, reversed these reserves. He afterwards proceeded, with the advice of his Executive Council, to assess them, and finally offered them for sale; but, prior to this, he had communicated with Mr. Stafford, then Premier of the Colony, and the Secretary for Crown Lands—at least, a good deal of correspondence took place, and, as that correspondence was printed at the end of the journals of last session, honorable gentlemen could refer to it if they thought necessary. It also appeared that a petition had been presented to the Council, the prayer of which was read before the Petitions Committee. A report was submitted to the Council from that Committee, and the matter was then referred to the Waste

Lands Committee, as it affected the waste lands of the Crown. A lengthened discussion ensued, a report was submitted by the Secretary for Crown Lands, and ultimately it was recommended that a Bill should be introduced in the other House giving effect to the prayer of the petitioners. The largest block of land which was affected as a reserve in the Amuri comprised 6,000 acres of land. One of the petitioners, Mr. Smith, had purchased 2,176 acres, at 15s. per acre, and 508 acres for £555, at the rate of 24s. per acre. He also held under lease the balance of the 6,000 acres. The object of this Bill was to give a Crown grant to the petitioner, Smith, and others. He might also state that Smith, besides having spent £2,089, had paid for the fee simple of the land. He also expended a large sum of money in fencing a portion of his run, and built a woolshed and a house; the place was, in fact, his home station. Twenty acres of land adjacent had been reserved as a boat harbour, so that it would be seen that the convenience of the people residing in the district, if they desired to ship their wool there, had not been overlooked. In exchange for this reserve of 6,000 acres, a reserve of 7,000 acres was made in another place, to facilitate the shipment of wool by settlers in the district, so that the public would not be materially injured by the sale of these lands. Besides the persons he had mentioned as referred to in the petition, there were four or five others. One of them, Mr. Williams, had purchased two or three sections of land in Pieton; he had also built a brewery there, and spent about £1,500 in connection with the establishment of his business. It had been stated by some gentlemen that these people would have a remedy at law against the Superintendent or against the Province, but he was afraid that if law were resorted to, the result would not be satisfactory. They were all conversant with the uncertainties of the law. A person might spend a large amount of money, and he might or might not get a verdict. Again, there was a probability that if these gentlemen spent £400 or £500, and obtained a verdict, it would do them very little good, seeing that the Province of Marlborough was nearly in a state of bankruptcy. As the question had been three times brought forward in another place,—as it had been twice rejected by the Council, and had again come before them,—they ought to listen to the prayer of the petitioners. He repeated that the petitioners would, in some instances, be ruined if their request were not acceded to. The Provincial Council had passed a resolution asking the honorable gentleman, Mr. Seymour, to forward the object of the petitioners in the Council. He regretted that his honorable friend was not present, for he was very anxious that effect should be given to the Bill. The Bill, in justice to these unfortunate men, ought to be passed, and the Government should be empowered to sign the Crown grants. It might be said that the Provincial Council should be left to deal with these reserves, but there was some uncertainty connected with the title, and a refusal had been made on the part of the Government to issue Crown grants as reserves for them to the Superinten-

dent. If the Crown grants were given, the Council could proceed under the Reserves Act of 1858, and the Superintendent might be authorized to lease or sell them. But, as there was an uncertainty involved, and as no remedy might be obtained by going to law, he now asked the Council to pass the Bill as it had come up from another place. He did not know that there were any other points to which it was necessary that he should allude. He had already stated that another reserve had been set apart for the use of run-holders, and that there was also a boat harbour reserve of twenty acres, and therefore he did not think that the public would suffer any inconvenience by the passing of this Bill. He merely asked that an act of justice might be done to those parties who bought the lands in good faith, believing that, when they were proclaimed in the *Gazette*, the transaction was a *bona fide* one, as between themselves and the Commissioner of Crown Lands, representing the Government.

The Hon. Mr. LEE said he felt bound to oppose the Bill, as he had done on former occasions. He did know that the honorable gentleman who had moved the second reading of the Bill had given any reasons that were not adduced during the past and preceding year why it should be passed. It appeared to him that it would be an inconvenient practice to pass a Bill of this nature, and he should certainly oppose the second reading, as he had done on all previous occasions when the Bill was before the Council.

The Hon. Mr. ROBINSON said he did not think the time of the Council should be taken up in the consideration of a question of this character. The matter had already been twice before the Council, and it had been twice rejected. On this, the third occasion, he had not heard anything stated by the honorable gentleman, Captain Baillie, in addition to what was said on previous occasions, unless it was that the persons referred to had spent money on the land; but this was not an argument in favour of the question, and he did not think it would be right for the Council to do what it was now asked, namely, to validate the Bill, neither did he think it was a question as to whether reserves had been made which were equally advantageous with others; besides, he was doubtful whether they would be so advantageous to the country, especially as far as the boat harbour was concerned, where large quantities of wool, the produce of an extensive portion of the country, were shipped, and goods landed, and where a large quantity of stock had both been landed and shipped. As all honorable gentlemen were aware, they could not ship at all times on sea boards; they might possibly have to wait a week for fair weather. If this Bill was validated, this reserve would not be available to the public to graze their stock during such detention. The honorable gentleman had spoken about the uncertainty of the law if these people were driven to sue the Superintendent in a court of law. He did not think it followed that there must necessarily be a lawsuit in connection with this matter. It appeared to him that the Provincial Council was taking great interest in the passage of the Bill, and it was

attempted to be shown that it would only be an act of justice to accede to the prayer of the petitioners. He, however, thought they should deal with the merits of the case, and, if the Superintendent and Provincial Council of Marlborough were really anxious to compensate these people for the injury which they had sustained by an illegal act, they might, if they could not do so in any other way, give them other lands. He did not see any reason why the Council should be called upon to do an illegal act, for they would be committing an illegal act if they validated this Bill and gave power to issue grants to these people for lands which absolutely belonged to the settlers in the country, and who had an undoubted interest in these reserves. He would ask honorable gentlemen if they thought it would be right that the Provincial Government, who were so anxious to do justice, should compensate those whom they had injured out of the property of private individuals. He really thought the Council would act injudiciously if it committed itself to an act of this kind, for, if they validated this Bill, they might be called upon to validate others.

The Hon. Dr. BUCHANAN said he intended to support the second reading of the Bill. Nobody could feel more strongly than he did regarding the action which had been taken by the Superintendent of Marlborough, who had sold those reserves in spite of his having been warned both by the Attorney-General and the Secretary for Crown Lands that such action would be illegal. When he was summoned to the Council he was instructed to decide according to equity and good conscience, and it appeared to him that inasmuch as the purchasers of these lands had bought them in good faith, believing that the provincial authorities had a perfect right to sell them, he should not be doing his duty unless he supported the second reading of the Bill.

The Hon. Mr. SEWELL remarked that the Bill was not in that state in which it should be passed by the Council. Its object was to give effect to certain sales of land which, at the present time, were tainted with illegality. Those lands were originally set apart as public reserves. They were unalienable by the Superintendent, except under certain conditions. The Superintendent appeared to have transgressed those conditions, and, against the plainest directions of the General Government, without authority, proceeded to sell the lands. There was no doubt that the case of the Superintendent was distinct from that of the purchasers, but it would be asking too much of the Legislature to take upon itself to act on a mere averment of this kind until something more had been done. They ought to be clear that the lands set apart for reserves were not of such a character as to be necessary for the services of the Province. There was also another point. He did not suppose that there had been collusion in these transactions, but they ought to be satisfied that there had been none between the purchasers and the Superintendent, who acted in violation of the law. He would not object to the second reading of the Bill if the honorable member would agree

to modify the Bill in Committee. He did not want to incur the parties with proceedings in the Supreme Court, but the question might be referred to the Secretary for Crown Lands, and if it was shown to his satisfaction that the reserves were not essential to the interests of the Province, and that the parties concerned had acted innocently, the Council might authorize the Governor to perfect their titles by giving Crown grants.

The Hon. Captain BAILLIE said he regretted that the reporters had prevented the honorable member (Mr. Domett) from speaking, because he was far better able to make a statement in reference to the various bearings of Crown grants and these lands than he was. He, however, would accept, with pleasure, the suggestion of his honorable friend the Minister of Justice, that any modifications which he or the Council might deem desirable, should be made in Committee. He might also state that not the slightest suspicion prevailed as to the existence of any conclusion between the Superintendent of the Province and the purchasers of the land. The land was put up at auction, and prices averaging from fifty to ninety per cent. above the upset price were obtained. Therefore, there could be no reason to suppose that there had been any collusion between the Superintendent and the purchasers. The evidence of the Superintendent had been placed before the Waste Lands Committee, and he also thought that the Hon. Mr. Seymour had given evidence with respect to the matter; there was, also, a telegram from the Commissioner of Crown Lands, stating that the lands had been sold *bona fide* at auction. He did not defend the action of the late Superintendent—he disapproved of his action—but he looked upon it as a mere matter of justice that the prayer of the petitioners should be favourably considered by the Council, which was their last court of appeal.

Question put, "That the Bill be now read a second time," upon which the Council divided with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	10
Majority for	...	...	...	...	4
AYES.					
Captain Baillie,	Mr. Miller,				
Mr. Bonar,	Mr. Pillans,				
Dr. Buchanan,	Major Richmond, C.B.,				
Mr. Domett,	Colonel Russell,				
Captain Fraser,	Mr. Sewell,				
Mr. Gisborne,	Mr. C. J. Taylor,				
Mr. Holmes,	Mr. Wigley.				
NOES.					
Mr. Chamberlin,	Mr. Robinson,				
Mr. Hawdon,	Mr. H. R. Russell,				
Mr. Johnston,	Mr. Stokes,				
Mr. Lee,	Colonel Whitmore,				
Mr. Menzies,	Mr. Williamson.				

The Bill was then read a second time, and ordered to be committed on Friday.

THIRD READINGS.

The Crown Grants Amendment Bill and the

Colonial Reciprocity Bill were read a third time, and passed.

REAL PROPERTY BILL.

The Hon. Mr. GISBORNE stated that, before this Bill was passed, he desired to have it re-committed to make an amendment in clause 111. It would be remembered that the words originally in that section were that land-brokers should be barristers or solicitors of the Supreme Court. Attention was drawn to the fact that those words were not in Torrens' Act. In the latter part of the clause, as originally drawn, it was provided, as was the case in the South Australian Act, that these land-brokers should enter into security. Of course, if they accepted one part of the South Australian Act they should another, and it was in consequence of his having overlooked that fact that he did not propose to restore that part of the section across which lines had been drawn. He now moved that the Council go into Committee to restore that part of the clause. He also thought it right to make the Council acquainted with the fact, which he was himself not aware of on the previous evening, namely, that it was only in the South Australian Act that provision was made that land-brokers need not be lawyers.

The Hon. Colonel WHITMORE, C.M.G., said that, when the Bill was re-committed he intended to move an amendment to the effect that the Bill should not come into force in any district until a trigonometrical survey had been made. He did not propose to do this with the view of injuring the Bill in any way. If necessary, he would be perfectly willing to make his motion the subject of a separate clause.

The Bill was then considered in Committee, reported with amendments, which were agreed to, read a third time, and passed.

UNINCORPORATED BOARDS SUITS BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, remarked that he had already explained its object. An honorable member had suggested to him that provision should be made that no suits should be instituted against members of the board unless they were members at the time the suit was commenced. He had promised to take that proposition into consideration and to consult the Attorney-General upon it. If the Council would permit the Bill to be read a second time now, he would propose that it should be committed on the next day.

The Bill was read a second time, and ordered to be committed next sitting day.

COURT OF APPEAL BILL.

This Bill was read a second time, and ordered to be committed next sitting day.

BOROUGH SCHOOLS BILL.

This Bill was considered in Committee, progress was reported, and leave obtained to sit again on Friday.

The Council adjourned at half-past five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 17th August, 1870.

Public Petitions Committee—Waste Lands Committee—Government Buildings—Government Business—Dangerous Goods Bill—Submarine Electric Telegraph Bill—Education—Nelson Crown Lands Leasing Bill—Case of John Runciman—University Bill—Message from the Legislative Council—Privilege—Representation Bill—Turner Land Grant Bill—Sale of Spirits in Native Districts Bill—Otago and Southland Union Bill—Payment of Common Jurors Bill—Neglected and Criminal Children Bill—Bills Committed—Marine Bill—Mining Companies Limited Liability Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petitions of the Warden and Fellows of Christ's College, Canterbury; inhabitants of Clyde; Mayor and Council of Clyde; and Horatio Lloyd Williams; which were read, and ordered to lie on the table.

WASTE LANDS COMMITTEE.

Mr. LUDLAM brought up the reports of the Waste Lands Committee on the Nelson Crown Lands Leasing Amendment Bill, and on an instruction regarding the Nelson Crown Lands Leasing Amendment Bill, which were read, and ordered to lie on the table.

GOVERNMENT BUILDINGS.

Mr. TANCRED brought up the interim report of the Joint Committee on Government Buildings, which was read, and ordered to lie on the table.

GOVERNMENT BUSINESS.

Mr. FOX, in moving the motion standing in his name, said the amount of business on the notice paper was still very large, and members were becoming impatient to get home to their domestic hearths. The Government were also desirous to get through the business as quickly as they could. The hardship of the Government reserving another day was not so great as might at first sight appear. A great number of the Bills of the Government were, in reality, measures of private members, which the Government had taken up to meet their views, or the views of their constituents, so that, in promoting the Government business, honorable members would be forwarding their own business.

Motion made, and question proposed, "That, after the current week, Government business shall, for the remainder of the session, take precedence of that promoted by private members, on every day except Wednesday.—(Mr. Fox.)

Mr. CRACROFT WILSON, C.B., thought it desirable, considering the immense amount of work on the order paper, that the House should sit on another day in the week until the conclusion of the session, and that on that day the Government business should not have precedence. This would be a sort of counterpoise to the loss of

a day in the week which honorable members who had private business to dispose of would suffer if the honorable member's motion were carried, and he trusted it would also accelerate the disposal of the business of the House. He would move, as an addition to the motion, that the House will sit on Mondays until the close of the session, Government business not to have precedence on that day.

Mr. RICHMOND suggested that the honorable member for Coleridge should move his amendment in this way—that after the word "week" the following words be inserted: "this House will sit on Monday and;" also, after the word "except," the addition of the words "Monday and."

Mr. CRACROFT WILSON, C.B., would accept the suggestion, and move the amendment in that form.

The first amendment was agreed to.

On the second amendment being put,

Mr. STAFFORD wished to know if the Government would be agreeable to accept the amendment, as he should support the view they took of the matter.

Mr. FOX said the honorable member's amendment, if carried, would not interfere with the action of the Government. He doubted whether, after the present week, they would require two days, but if so, the additional day would give more time to get through the business. With regard to sitting on Monday, if the Government business to be attended to outside the House should prevent Ministers from attending in their place on that day, the House might be adjourned.

Mr. CREIGHTON said if they were to sit on Monday it should be made a Government day, as the private business was not so pressing that it could not be disposed of in one day of the week. He should oppose the amendment unless Monday were made a Government day. The whole business of the session might be brought to a close at the end of the month, and most honorable members were anxious to get to their homes.

Mr. HALL said that as the honorable member at the head of the Government had agreed to the proposal of the member for Coleridge, he did not see what objection could be made to it. What the honorable member wanted was an opportunity of disposing of the business introduced by private members; at present only one day in the week was left for the purpose.

Mr. FOX.—It would rather accelerate than impede the Government business.

The second amendment was carried, and the motion as amended agreed to.

DANGEROUS GOODS BILL.

Mr. FOX moved for leave to bring in a Bill to amend the Dangerous Goods Act.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

SUBMARINE ELECTRIC TELEGRAPH BILL.

Mr. FOX moved for leave to bring in the Submarine Electric Telegraph Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Friday.

EDUCATION.

Mr. RICHMOND.—Sir, I am sure that those who are interested in public education in this Colony must be gratified at the figure which it has made during the present session on the order paper. We have already passed one Bill for empowering boroughs to establish schools within their limits, and to make rates for their maintenance. We have a Bill before us for the establishment of a university, and on the present order paper there are two motions, both of them intended to supply a great need in the machinery of the Colony for primary schools. I feel that I am not exactly the person who should have come forward on this occasion to move in this matter. There are other gentlemen who have made education in this Colony their special care, and who might more properly have introduced the proposals which I have undertaken to bring before the House; but I felt that by waiting until other honorable members might be disposed to move in the matter, or by showing anything like doubt as to what might be the wishes of the House on this subject, I should, perhaps, be doing injustice to a good cause, and injustice towards the House, which appears to me sincere in desiring to move forward. During the last session the late honorable member for Mongonui (Mr. Ball) introduced a motion on this subject, and, in speaking to it, he reviewed the various systems of education carried on throughout the Colony, and their results. I am sorry to say that although his motion was agreed to it was agreed to without a word of discussion. The House appeared to be unwilling to treat with a rebuff an attempt of the kind, although it showed very little interest in it. I think a change has come over the House since that time, and the question has become much easier to discuss now than in former years. There are, no doubt, various opinions among honorable gentlemen as to what are the proper functions of a Government; and many will probably be of opinion that we have, like most democratic bodies, a disposition to go beyond the proper functions of a Government in a colony when we attempt to organize a system of speculation, and that when we lead the whole community in one direction—on which it is naturally disposed to go—we are entering upon a dangerous course, and adopting a questionable policy, and one which they think will lead us into mischief. But after all the pains which I have been able to take in reviewing the subject, it appears to me that there is not any sound argument for the impropriety, but on the contrary, there is an absolute necessity, in a democratic community, for undertaking the charge of the public education. In the publicity attending such a system there is the great merit that something more than the teaching of the three R's would be obtained, and that the young citizen should be trained

to a sense of his citizenship. However, as I have said, the question has gone beyond a discussion of first principles. It has been admitted in England that it is a primary duty of the state not to suffer any member of the state to grow up in utter ignorance for want of the means of instruction. This seems now to be accepted almost as an axiom; and, more than that, the *modus operandi* in a case like ours has been supplied for us recently. The discussion on education, which honorable members must have followed during the last twenty or thirty years, has issued at last in a compromise which does the greatest credit to all concerned. It appears to me to show the profound earnestness of all who have been engaged in the agitation of this question of late years. The Bill which has been introduced, and probably by this time has been passed in the Imperial Parliament, under the charge of Mr. Forster, actually meets our particular case by anticipation, and it seems to avoid all the rocks and shoals on which any attempt to establish a general system of education in this Colony is likely to founder. The proposals which I have ventured to put upon the order paper are really very little more than an application of the principles of Mr. Forster's Bill to what all must agree to be the wants of this Colony. I shall not have to detain the House very long with statistical information on the subject, and will only supplement the work which, to some extent, was begun by Mr. Ball last session. I am glad to have the opportunity of offering my thanks to that honorable gentleman, in his absence, for the movement he made. I felt ashamed that so little notice should have been taken of his valuable motion. I now desire to lay before the House a few figures relative to last year's educational expenditure, to show that there is present cause why we should take the matter up in this House. The first point to which I wish to refer is, that the public expenditure for educational purposes during the past year amounted to £32,805. Of this amount there was expended, in the three Provinces of Otago, Canterbury, and Nelson, the sum of £29,369; while in the other Provinces, which contained fully one-half of the population of the Colony, only £3,436 were expended in promoting the public education of the people. Looking at the census of 1867, and applying to it that proportionate increase which may fairly be supposed to have taken place in the interval—and that is not applying too large a figure, if we consider that the increase of children is greater than the increase of the population at large—taking these figures, and assuming that proportionate increase, we find that, at the present time, the number of children between five and fifteen years of age is 12,650 in those parts of the Colony in which this sum of £3,436 is paid out of the public purse for the purposes of education. The recruits to the educational institutions in that part of the Colony, from year to year—I mean the children attaining five years of age—may be taken to be about 4,700 per annum. I have calculated the expenditure per head of the children in those three

Provinces which do provide for education to be 50s. per head, not on the number educated but upon the total number of children in those Provinces; while in those Provinces in which there is no provision, or but little provision, made for education, it amounts to only 5s. per head. Now, it is quite true that there is a great deal done for education, in all parts of the Colony, besides that which the Government does. I do not wish to make the case out worse than it really is; still, I think no one can deny that a large portion of those 12,650 children, between the ages of five and fifteen, are growing up without any educational training. Many of those children are living in districts where the population is scattered, and whose parents, without the assistance of an organized system of instruction, would be unable to furnish them with any education at all. Doubtless, something is done at home, in many parts of the country, by parents who have had the advantage themselves of education, and who do not neglect their duty in this respect; but there is evidence of great neglect and of a great want of the means of education generally throughout the country, and I hope the House will consider that it is not merely necessary to pass a resolution of this kind, but that it is the duty of the House to legislate upon it, and to make provision for the education of the people throughout the Colony. The honorable member for Clutha has kindly furnished me with a report of the state of education in his Province—a report which reflects the highest honor upon all who are concerned in the matter; but, looking at that report, and adopting, also, the principle that education is a thing which must not be allowed to stand still, I fear that there are, even in Otago, a great many children to whom the benefits of education are not extended in the public schools. There must be a considerable number even there who do not get adequate assistance in this matter. I find from this report that the number of children between the ages of five and fifteen, who are receiving education in the public schools in the Province of Otago—I am taking the grand total of those who attend at all in the course of the year, and I have taken out those above fifteen and those under five, for the purpose of comparing the numbers with the numbers on the census roll—I say, I find the total number of children educated in the public schools of the Province to be about 5,340; whereas the population of children between the ages of five and fifteen, according to the census, increased in the proportion I have previously adopted, is about 10,200. This is a result which may not be strictly accurate, but it must approach tolerably near to accuracy, and it is one which has astonished me, as I have no doubt it will astonish other honorable gentlemen also. But if such a state of things prevails in Otago, where the means of education are so liberally provided, what must be the condition of the children in other parts of the Colony, where scanty provision is made. Some years have passed in this way, and it is probable that from five to ten thousand children have grown up in this Colony altogether, without even the com-

monest education. I said I would endeavour not to exaggerate the case, and I am bound to say that this does not furnish a case at all comparable with the difficulties and the miseries that exist in the mother country, where, from recent returns published in articles in some of the leading reviews, there are, in the large cities alone, without taking into consideration the smaller towns and the rural districts, over a quarter of a million of children growing up without instruction, and without occupation during their early years, when they ought to be at school. There is a great difference between the condition of our population and that of the mother country in this respect. With us, none are so oppressed with labour as to be without the means of assisting our children at home; and none are bound down, as it were, by a sort of horrible fate to a state of ignorance and degradation as they are at home. There is also another point of difference between the cases. If our children are growing up in ignorance, they are, at all events, growing up in the sunlight, and not cooped up in stinking alleys, amidst degraded companions. But I think the House will agree with me, that I am justified in asking it gravely to deal with the question which I have placed upon the notice paper. It is not necessary for me to say that education is not virtue; yet every one knows, and the statistics of crime show in the most convincing manner, that all violent crimes which society sets its face against and undertakes to prevent, are much more frequently associated with ignorance than with knowledge; that, in fact, vice loves to nestle with ignorance. We are asked by the honorable member for Hampden to extend the franchise, and I think a motion of that kind is sure to be carried in a year or two, and that it is one which ought to bring with it, as a corollary, the determination, on the part of this House, to take up also the question of education. Democratic society, all over the world, has recognized the necessity for education, and acted up to it. Democratic societies are apt, occasionally, to have very strong wills of their own. It might not be uninteresting to the House if I were to read a short extract from a work, which shows the determination exhibited in the New England states to have this principle of universal education carried out, even by direct compulsion. The principle of compulsory education has been reluctantly admitted in England in a long series of factory laws. It was introduced in Mr. Forster's Bill in a permissive shape. An honorable friend near me says that it has been made absolutely compulsory in the alterations which have been introduced into the Bill. So much the stronger for my argument. In the New England state of Massachusetts, an English visitor, Mr. Jennings, says:—

“The fundamental principle of the present system in Massachusetts is, that the authorities must make education compulsory. Children are forced to attend the schools, without regard to the wishes of their parents.”

The custom by which this is carried out is curious. There is a sort of school police estab-

lished at Boston, which perambulates the town and takes charge of all little street boys and girls who do not appear to be able to give a satisfactory account of themselves. One of the officers so employed thus describes their mode of proceeding:—

“A day seldom passes in which I do not find children out of school. These I send or take into school hundreds of them every quarter.”

This is the first step. Another officer describes the second step in the following manner:—

“In cases where I fail to check the habit of truancy, and the child becomes an habitual truant, I make a complaint before one of the justices of a police court, and a warrant is granted me, made returnable at the justice's private room in the court-house; I arrest the child, and summon the teacher to appear at the time and place named in the warrant. I likewise notify the parents that they may be present and be heard. If the child is found guilty by the court, a sentence of one or two years in the house of reformation is passed, and, in other instances, the cases are continued from time to time, in order that the truants may have an opportunity to reform. In these cases they give surety for their appearance at the time specified by the court. If they are sentenced, I take them directly from the court to the steamer ‘Henry Morrison,’ and leave them in charge of the officer of the boat, who delivers them into custody of the officers of the house of reformation at Deer Island.”

Mr. CREIGHTON.—May I ask what the date of that is?

Mr. RICHMOND.—The date of the book is 1868. I would be prepared to argue that the state is perfectly justified in pursuing such a course as this. I cannot see that the nicest sense of liberty is inconsistent with the state insisting upon the duties of parents towards their children being performed. From the moment the child enters life it appears to me to have rights of its own, and as long as it is helpless it is the duty of the state, if necessary, to see that it is cared for, and has that done for it which it is not able to do for itself. The idea that prevails in some persons' minds, that compulsion is inconsistent with freedom, appears to me to be much of the same character as the notion of the slave owner who, when in a free state, exclaimed, “Call this a land of liberty, where a man is not allowed to thrash his own nigger.” The child is not the property of the parent, but he has powers over it conferred upon him by nature which the state confirms to him and does not seek to interfere with, but with that authority there come duties on which the state has a right to insist. I was anxious to express my strong opinion on this subject, but in the proposals I have made I have departed from this principle which is embodied in Mr. Forster's Bill, because I do not think it is necessary to go that length in New Zealand. My impression is that other processes will do all that is wanted. If we will only put the means reasonably near the parent, I think he will, in the vast majority of cases, avail himself of them in almost every case; and public opinion

will grow stronger and stronger, year by year, until it will amount to compulsion. If I am wrong, I shall be ready to go further when the need appears. The first part of my proposition is that the existing machinery shall be left altogether untouched, except so far as may be necessary for the mere performance of inspection; and I will explain to honorable gentlemen from the Provinces where education is now cared for, the reasons I have for desiring to have this inspection. I have not the slightest jealousy of the interference with the management of these matters by the Provinces. I do not think they are the fittest bodies to manage them, still less do I think that the General Assembly, or the Colony at large, is the right body to manage these matters in detail. All that either of them seem to me to have as a duty is, failing other means, to see that the work is done. I have not the slightest objection to Provincial Governments as agents, and still less have I any objection to the system which exists in most of the Provinces. I do not see how the business could be better carried on than it is now carried on in the Province of Nelson. I am well acquainted with the machinery of the educational system of that Province. The present machinery there is as good as it is possible or likely for us to get. It has been set in motion by men earnest in the work, and it has been kept in motion by men who have grown up in the experience of it; therefore, Sir, if I propose to adhere to the existing machinery, it is not because I wish to spare any man's prejudices in the matter, but because I think it is absolutely the best plan for us to go upon. The variety of methods which arise under a variety of organizations must be of infinite value to the educational progress of a colony, provided the experience is gathered together by general inspection, and by what I conceive would be, in practice, a very beneficial plan to adopt, namely, an occasional interchange of teachers between different parts of the Colony, and giving teachers, when they have shown themselves to be deserving, the privilege and the means of travelling and inspecting for themselves the processes carried on, and of seeing the books and school machinery of other parts of the country besides that in which they have been at work. I do not think that the dead level of uniformity is at all a thing to be desired, and the writer from whom I have quoted respecting the New England system refers to that point particularly as being known to tend, by those who work the system, to an unsatisfactory state of things, and rather to stagnation than otherwise. Emulation is, undoubtedly, likely to arise by maintaining as many systems as you can, working in their own natural way. I hope, therefore, that the present organization may subsist and flourish for a long time. I have proposed, in another part of my resolution, that aid shall be given to denominational schools. I know that there is a feeling in the minds of a good many against the denominational system altogether. I confess I do not share in it. I think that it is quite possible, and very easy, indeed, to have sufficient safe-

guards, and, indeed, public opinion in this Colony gives sufficient safeguards against the use of denominational schools as denominational propaganda. The English Bill, which is now, I suppose, law, contains what is called a "conscience clause," amply sufficient for the most scrupulous. It is as follows :—

"No scholar shall be required, as a condition of being admitted into or attending any Sunday school, or any place of religious worship, or to learn any such catechism or religious formulary, or to be present at any such lesson or instruction or observances, as may have been objected to on religious grounds, by the parent of the scholar sending his objection in writing to the managers or principal teacher of the school, or one of them."

Our policy is to bring in to assist in the work as many active men as possible, and I am quite sure that a very large part of the active power of the Colony in the direction of education is to be found in the active leaders of the several denominations. I would adopt the words of a great New England poet :—

Thank God, say I, for 'ary plan
To lift one human bein' level,
Give one more chance to make a man,
Or, anyhow, to spile a devil.

Then, Sir, the next point in my proposals is the administration. I have had an idea for some years past, which, I dare say, I derived from the honorable member for Ashley, that there should be an organized hierarchy of schools and colleges, and that every part of a true system of education must dovetail and work in with one another. For this reason I have proposed that the persons in charge of the inspection should be the Council of the university which it is now proposed to establish in the Colony, and thus we should have every step of the ladder guarded by those who are best qualified to undertake such a supervision; not to manage or interfere with the details, but to give an assurance to the country that the work is being properly and generally done by those who are best fitted to carry it out in detail. The Council of the university, whatever it may be at first, must eventually consist of those who have been brought up within it. They must be the sons of the university, or the daughters, perhaps, as I hope the time will come when the other sex will not be without their share in the management of such matters. Then, Sir, the next point is as to the local part of the business where provision does not now exist. Here, again, my idea has been simply to adopt the principle which Mr. Forster's Bill embodies. The following are the words which I have copied out of his speech in introducing his Bill :—

"On the one hand, we try to make use of the existing educational means, and, on the other, we assert that it is the duty of the central Government to take care that, throughout the country, in every district, elementary education should be provided by the means of local agency."

And, again, in another place, he goes on :—

"What is the principle relied on by the honorable member for Birmingham (Mr. Dixon) and the honorable member for Sheffield (Mr. Muddell), to whom so much credit is due for

arousing the country? It is the education of the people's children, by the people's officers, chosen in their local assemblies, controlled by the people's representatives in Parliament."

That is my conception of a proper management, and which I have endeavoured to carry out in the heads which I have appended to my resolution. I have not gone into any detail as to the subject of the local rating, because I have not thought that it was advisable to burden this discussion with a question as to how the rates should be raised; nor I do not think the time has arrived when we should discuss at all the mode of establishing machinery for rating. Honorable gentlemen have various opinions as to that, and when this movement begins to fructify it will be time enough to introduce a question of that kind. I do not desire that anything that is proposed in the heads appended to my resolution should convey my particular opinion on that subject. The Nelson house-rate may be the best, or some other plan may be more suitable, but I will leave the question untouched. If it is complained, Sir, as I suppose it may be, that in this proposition for primary schools I am asking the Legislature to do that for one part of the Colony which is done in other parts out of local funds, I would say it appears to me that if such a system as I have suggested were carried out, there would be nothing to prevent the schools in every Province from taking advantage of the offers of the Government in the shape of subsidies. A minimum interference is what I seek, and what I think this Legislature should take upon itself; and there is nothing in the proposals before the House which would prevent the organization now existing in Canterbury, Otago, and Nelson, from accepting the aid the Colony might offer. In that case, local funds now applied for educational purposes would be released, and would become available for the general purposes of the Provinces in the way of colonization and public works. I have gone outside Mr. Forster's proposal in the suggestion for the establishment of a superior class of schools. My idea of those schools is, that they should form the machinery by which a process of natural selection should be carried out by aiding the most promising of the children. This plan has been already suggested to the country in a document, too little known among honorable members, which was prepared by the honorable member for Ashley and others, who were engaged in a Commission on Education in Canterbury. My idea is that those schools should be mainly supported by school fees, paid by those who are competent to pay the expenses of educating their own children, and that they should be subsidized by the Government in respect to exhibitioners who should be sent up from junior schools. I do not see how we can ever expect to get that thoroughly progressive character in education which we ought to desire, and which is the very soul of the whole thing, unless we enable the poorest children who attend our primary schools, whenever they show a capacity and industry, to make their way up. That appears to me to be the necessary

and proper condition of any scheme of education by a state as a whole. It is not only fair, but it is wise, because there can be no doubt whatever that, in a democratic community, the sympathy of the mass of the people will go with their own children, and that those who have raised themselves from a humble state in life, and who may and will, no doubt, in time become the leaders of this country, will be the likeliest men to prove conservative in the state, if we give them the necessary help in their earlier progress. They will look with pride and loyalty to the state if it has done its duty by them in their days of helplessness. Then, Sir, I have no doubt that the process should be carried on and into the high schools and colleges of the country, and that we should afford access, in the easiest possible manner, to every child in the state. I hope honorable members will not say that I am visionary in the ideas I am thus expressing to the House. The notions may be large, and I know will probably, in the immediate results, appear to be very inadequately followed up, but there is no possibility of attaining to any great end unless the aim is directed at a comparatively remote object. There is no doubt that, in all these things, we should be patient, and when I have referred to the shortcomings in the present state of things in the Colony, it is not in any spirit of disparagement that I do it, but with a view to stimulate ourselves to a wholesome and steady action in the matter. There are some lines by the author whom I quoted just now, which, although on a different subject, are so apposite that I will quote them:—

Not that I'm one that much expect
Millennium by express to-morrow,
They will miscarry—I rec'lec'
Tu many on 'em to my sorrer—
Men ain't made angels in a day,
No matter how you mould and labor 'em,
Nor 'riginal ones I guess don't stay
With us so of'n as with Abraham;
But, arter all, Time's dial plate
Marks cent'ries with the minute finger,
An' good can't never come tu late,
Tho' it does seem to try and linger.

Then, Sir, I think it is not unreasonable to look forward to organizing the whole fabric of our educational system with a view to ulterior results, at the same time that we are very humble in our expectations of what is to be done in the immediate future. I am quite sure, for instance, that in many rural districts it will be necessary, in order to give the fullest effect to the national idea on this subject, that one teacher should serve two or three districts. There are many parts of the country where that will be necessary, because it is not possible that children should be sent to school where they would have to travel more, say, than a mile, backwards and forwards, in the course of the day. In this, and in many matters of detail, we ought to expect immediate results to be very moderate. There is another portion of my proposals which I hope the House will view with favour, namely, those points referring to the encouragement of teachers. It will be allowed that there is no class of men in the Colony who have received so little encouragement as our school teachers. I know there are places

and instances which are bright exceptions to the rule, but, as a whole, the teacher is a very much neglected and very much discouraged individual. Many of the teacherships in our public schools are but a refuge for unfortunates, who, having received a moderate education, come in, intending, in many cases, to remain there only so long as they can get nothing better to do. But I think the House, when it applies itself to this subject, will do well to provide for raising the *status* of teachers. I will not detain the House further with details. The proposals, as printed, pretty clearly indicate what my general idea is, and I hope I have removed any obscurity by the remarks which I have made. As I said before, in a democratic community like this, it is a first duty to attend to this matter, not merely because it is a duty to the people whom we govern, but because the very stability of the state depends upon the intelligence of the whole population. As Mr. Lowe, in a debate on this subject, said, "You are going to make the people your masters. For God's sake, secure that your masters can write their own names." But, Sir, it is not in the mere writing of items and casting up of the columns of a ledger that I desire to see progress made. We are a people of speculators, and all of us need higher things. My notion of education in these schools is, that it should really open the minds of the children to the widest extent compatible with the means at our disposal. I think that those who are afraid of democracy—and there is no doubt there are alarming symptoms about it—must see, if it tends to tyranny in one direction, and to wild speculation in another, that the true cure for those evils is by giving the people at large higher tastes and higher aims, and that that is only to be obtained, and it can be obtained for the lowest, by intellectual instruction in the schools. I can conceive of nothing more certain than that the careful study, not perhaps of old classics, but of our own history, will give to our commonest population—to all classes of the population, a greater respect for the institutions of the country, a greater amenability to law, and a greater amount of appreciation of the privileges they enjoy, and the debts they owe to the men who in past days laboured and suffered to win them. We should aspire, in our schools, to evoke patriotism by instruction in history—to awaken something of what has been called by a great writer the "enthusiasm of humanity." Railways are good, and immigration is good. I confess to feeling as strongly as any one the evils attending a scanty population. "As iron sharpeneth iron, so man sharpeneth the countenance of man;" but when we are asked to run such unheard of risks on behalf of these things, I think it is a very proper time for me to come down and ask this House to stir in earnest in this matter of education, and to ask the Government—not to take up my particular plan—but some plan that shall practically effect the object in good earnest, and if they set about the work with determination, I am sure they will be supported by even a larger majority in the House

and among the people than they have been in their schemes for opening and colonizing the country.

Motion made, and question proposed, "That it is the duty of this Legislature to secure that provision shall be made for the education of the people in all parts of the country. That for that purpose the Government should, during the recess, prepare a Bill to be introduced early in next session; and that the main provisions printed on supplementary order paper should be included in the Bill."—(Mr. Richmond.)

Mr. MACANDREW moved the amendment of which he had given notice as follows:—"That, in the opinion of this House, it is expedient that a Bill should be introduced early next session for the purpose of securing that adequate provision shall be made for elementary education in those Provinces wherein the Provincial Government may fail to make such provision." He thought that it was fortunate that there were not many members in the House who had got the *cacoethes loquendi* to the same extent as the honorable member who had just sat down, otherwise the debate would be interminable. The amendment, he thought, sufficiently explained itself, and indicated the practical direction which he thought the question ought to assume. He certainly agreed with the honorable member, that it was absolutely essential that, in those Provinces where no provision was being made for the education of the people, it was the duty of the House to step in and compel those Provinces, and even districts, to educate their inhabitants. But in the case of Canterbury, Otago, and Nelson, which certainly comprised one-half of the Colony, he thought it would be utter folly and something worse on the part of the House to interfere with the arrangements which now existed in those Provinces. He could say, as far as Otago was concerned, that they had at the present moment over 100 public schools, of one sort or another, with upwards of 130 teachers. They had attained in that Province that of which they might well be proud, for they had got the only system of national education that existed in the Colonies. They had risen superior to all the sectarian influences to which the honorable member had adverted; they had got the children of all denominations sitting in the same class. What he wished to point out was that the House should not interfere with the educational establishments of those Provinces where well-organized systems of education already existed, and which it was clearly intended to do by the resolution of the honorable member. If it were true, as had been stated, that in the Northern Island there were 12,650 children growing up uneducated, it was a fearful prospect in a democratic country like this, where the people possess the sovereign power, and he thought, therefore, that it was the duty of the House and the Government to make such provision to arrest the evil as was indicated in the resolution of the honorable member for Grey and Bell, and in the amendment he had submitted to the House. He (Mr. Richmond) had pointed out that, even in Otago,

there were numbers of children who were uneducated. He granted that, but that did not arise from the want of means to educate them, but because there were no means of compelling the parents of the children to send them to school. He would go to the extent of compulsory education. He thought, where a Province or a state provided the means of education, every parent should be compelled to send his children to school. They compelled people to pay for education whether they availed themselves of it or not, and, on the same principle, no parent should be allowed to neglect the education of his children. In Otago, wherever there were twenty or twenty-five children, there the means of education were provided. Anything the Colony could do was not likely to exceed that. What he complained of in the proposal of the honorable member was, that Provinces such as those of Nelson, Canterbury, and Otago, in addition to educating their own children, should be compelled to educate the children of other parts of the Colony. He did not believe in that. They might as well compel them to support the police of Auckland in addition to their own. He thought no man had any right to bring children into the world without being compelled to educate them. There was no man in this country who could be said to be unable to educate his children. It was the want of will, and not the want of ability. He did not think it necessary to occupy the time of the House by going into the question further. He thought the amendment he proposed was practical. The main object which the honorable member for Grey and Bell had in view would be obtained by means of the amendment. There should be no interference with those Provinces who were really doing their duty in the matter. He would be sorry that there should be any interference with the Province with which he was connected, where they had done so much in the initiation and maintenance of a sound system of education. He hoped the honorable member would be induced to accept his amendment, as it was more practical, and aimed at the same object which the honorable member had in view.

Mr. FOX.—I do not think it necessary that I should make any lengthy observations on this question. It is one which, involving as it does the general principles of education, would take days, if not weeks, to discuss fully. The experience which the old country has had on the question of education is quite sufficient to show us the difficulties by which it is surrounded; and though we do not labour, as they do at home, under the great disadvantage of having an established church, which must always be an obstruction to a sound system of universal public education, yet, there are many other difficulties to be contended with in this country. There is a difficulty in establishing any general system that would meet the views of all the various portions of the Colony, and the various shades of political opinion. I fully concur in the opinion expressed by the honorable member who moved the amendment, that it is well to let well

alone, where you find a large portion of the Colony—more than one-half of it, exclusive of the Native population—have already established, and are maintaining in great efficiency, an excellent system of schools, which is working exceedingly well, certainly as well as the most of the scholastic systems in other countries. I think it would be an act of supererogation and injustice to interfere with their operations, which they have carried on so greatly to their credit. I admit that, in those parts of the Colony where the education of the children is neglected—as seems to me to be the case in most, if not in the whole, of the Northern Island—it becomes a subject of serious consideration for the House as to what is to be done. The question whether those Provinces which, from one cause or another, have neglected the education of their people, are to throw upon the Colony an uneducated population, to become a dangerous element in the community, must give material for grave consideration. My belief is this: that in a country such as ours, composed, in a great measure, of Anglo-Saxon—we say Anglo-Saxon, though, of course, there are Celts and other races—and engaged as we are in developing a new country, nothing is wanted but means to induce the population to take the question in hand. This has been shown to be the case both in the Northern and Southern Islands. The Northern Island formerly did a good deal in some Provinces, until that unfortunate time when it was stripped of its property and resources by the passing of the Native Lands Act in 1862, which had the effect of reducing some of the Provinces to a state bordering on bankruptcy. Since that unfortunate day they have been unequal to the task of carrying on the government of the different portions of the Colony intrusted to them, solely because they have not the means. When they possessed the means they showed the greatest willingness to encourage education. When Auckland, at a time of great depression, was reduced to the necessity of discharging its schoolmasters, who had been engaged during the period of previous prosperity, it was not that less interest was taken in the subject of education, but because there was no money. That has not been the case with the South. But do the members of the South think we are inferior to them in our desire to promote the intelligence of the rising generation, or less animated than they are with a desire to see the general education of the people promoted? Do they think that they only are inclined to do their duty, and that we in the North are a *progenies vitiosior*? We are just as ambitious as they are in that respect. We have just as much desire to see educational institutions in the country—to see every individual educated, but we have not the means. I warn honorable members of this, that whenever they come to grapple with the question, they will find that there are but two courses open—they must provide the means of educating the Northern Island out of the common fund of the Colony, or they will have to act towards the Provinces in this way: by the power of the House they will have to take

a large portion of the revenues of the Northern Provinces, and apply it, without their consent, to educational purposes. That will be a delicate position for a Government to be placed in. It will be a question whether a portion of the funds of the Middle Island shall not be appropriated towards saving the Colony from the dangerous effects of an uneducated proletarian class, or whether this House shall arrest a portion of the funds of the provincial administration in the North Island, in order that the Colony as a whole may be protected. If that be so, it will be a large step towards the abolition of provincial powers. The functions given to the Provinces may thus be resumed by the General Government. If it be so, we must be prepared for it, but I confess I should regret to witness it. But I only warn the House that these are the two horns of the dilemma. If you take the practical and pecuniary consideration of the question, I see no escape from that. The House will have to provide for the education of the people by the appropriation of part of the general revenues of the country, or by a forcible appropriation of the funds of the Provinces. Looking at the whole subject from this point of view, I am more disposed to support the amendment of the honorable member for Clutha than the original motion, and I think that that is the opinion of my colleagues. If the House will adopt the amendment, the Government will give the subject their best consideration during the recess; and, if it finds itself in a position, it may probably bring forward some measure. But, before they crystallize—if I may use the word—the ideas of the House, and reduce them to a practical shape, it is necessary that the Government should further ascertain the minds of honorable members. It may be necessary to appoint a Commission or a Joint Committee of both Houses, and to ascertain public opinion at the general election. Possibly, by the next session, the Government would find itself in a position to take some step in the direction indicated by the honorable member's resolution. I shall be glad if I could see how to assist in removing what is a great curse to the country—the want of means generally to insure primary education to the whole of the people.

MR. TANCRED.—I confess that the speech of the Premier has somewhat disappointed me. He seems to have told the House how not to do it. I believe, whether rightly or wrongly, that the Government are not in earnest in proceeding with the promotion of education in the Colony. Whenever this subject comes up, it appears to me that the Government try to throw cold water on it, and shelve it by some means or other. The Government does not seem to understand the great and urgent necessity for immediate action. They seem to wish to have the subject ventilated during the election; they will then perhaps appoint a Commission to report, and by the following session they may take action. That is not the way to meet the urgent necessity of this question. I am excessively sorry that a question of so much importance should so be dealt with, and I believe

the Government are misinterpreting the wishes of the people. Every day we lose in hanging back over this matter, is fraught with great evil to the country. I do not know which I should prefer,—the amendment of the honorable member for Clutha, or the resolution of the honorable member for Grey and Bell; but I shall be satisfied if either of them is carried. I am glad that the Government gives the amendment their support. That at least is decisive. It is well that the Government should, even so far, give their support to education. It appears to me that the two resolutions are not incompatible. The amendment says, "That, in the opinion of this House, it is expedient that a Bill should be introduced early next session, for the purpose of securing that adequate provision shall be made for elementary education in those Provinces wherein the Provincial Government may fail to make such provision." In order to carry that out, it will be necessary that the Government should visit and inspect the various Provinces. They could not ascertain whether education was defective or otherwise in those Provinces unless they did interfere. I hope their doing so will not hurt the sensibilities of provincial proclivities, as the Government cannot ascertain where defects exist without having the schools visited for the purpose. There must be some report upon the subject, otherwise the Government cannot possibly see its way to providing for those districts in which educational requirements are deficient. I do not understand whether those particular resolutions of the honorable member for Grey and Bell are being argued.

Mr. FOX.—They are to form the heads of the Bill.

Mr. TANCRED.—They are, as I understand, only subsidiary, not essential parts of the discussion. The Government has said that this is a question which will require a great deal of time to consider, because it is surrounded with difficulties; but in every country it has been found that the question of education is a very difficult one, and it does not follow that we should proceed with such slowness in dealing with it. I admit that every country has found enormous difficulties in dealing with the question of education. In England it has been debated for years,—indeed, for almost a century. In America, too, they have had to encounter great difficulties, but have achieved great results. All over Europe it has been the same; but the difference between all those countries and New Zealand is, that where they found difficulties they determined to overcome those difficulties, and not shrink from them, but our Government, instead of doing that, they do nothing. It appears to me that is a mode of dealing with matters which is very convenient for Governments, but I do not think it is the most satisfactory for the country. The honorable member for Clutha has said that he did not understand why Provinces which attended to education within their own limits, should pay for those who did not pay that attention. Well, to my mind, that would appear a very economical expenditure,—that where one Province was in

want of education, that other Provinces should supply it with the necessary means.

Mr. MACANDREW.—I said if they had not the means.

Mr. TANCRED.—Of course, if they have the means they should then supply it themselves; but however unfair and partial it might seem for one Province to pay for the education of another, it is better that they should do so rather than have the youth of neighbouring Provinces grow up and become proletarian. But it appears to me that no such case will occur, because this House has the power of making a law compelling districts to do their duty. They can compel districts to keep their roads in order, and perform their functions, and they can also compel them to establish schools for educational purposes. The House should make a law compelling districts to educate the people within their limits. That is the principle of the Bill that is now before the British Houses of Parliament. There are districts which attend to the educational wants of the people, and those are not to be interfered with; but where such a paramount duty is neglected, they are to be compelled to perform it. I do not say that one Province should be called on to pay for the education of another, but even if this were so, it would be an economic expenditure by that Province. With regard to the difference between the North Island and the South Island, I acknowledge very freely that the former has had great difficulties to contend with in consequence of the passing of the Native Lands Act, which deprived them of those funds which are possessed by the Middle Island. I freely admit that this has had something to do with the deficiency in the provision made for education in the North Island. At the same time, I think there are some Provinces in the North Island which have attended to their educational wants more than others. I take one instance, that of Hawke's Bay. I understand that the provisions there made for education, approach those made in the Middle Island.

An Hon. MEMBER.—They are the same as those of Nelson.

Mr. TANCRED.—I say that they have provided larger funds for the purposes of education in the Province of Hawke's Bay, in proportion to its resources, than in any Province in the North Island. I believe that arises from the energetic action taken by the provincial authorities to introduce a sound system of education, and the people have taken it up, and have made larger provision for the education of the people than any other Province. I only rose to say a few words upon one or two matters which occurred to me; but there is one point which I wish to impress upon the House, and that is, that if any progress is to be made in the matter, it will be absolutely necessary that the General Government should provide for the supply of properly qualified teachers. We want training schools; we want practising schools; we want model schools; because, in order to have good schools, we want trained teachers. I am quite satisfied that in no part of the country are there available

schoolmasters suitable for the wants of the country. Some time ago, teachers had been imported by some of the Provinces. A great number of teachers came to Otago, and the Canterbury Association brought out some trained teachers; but I do not know of any trained teachers having been brought out by other bodies. Good teachers are very few and far between. In many cases the position of schoolmaster has been accepted because there was nothing better for the person to do. A person who could read and write, and do a few sums, would say, "If other employment fails, at all events I can be a schoolmaster." I would like to do away with that feeling among the people. We shall never have a successful system of education until we succeed in raising the standing of schoolmasters, and awakening the feeling that it is an honor to teach children and not a disgrace. Make the teachers feel that they are employed in a good work, and that they are endeavouring to effect a glorious result. So long as we are glad to get anybody, however unfit, to take charge of the schools, so long will the office of schoolmaster be in disrepute and the schools badly attended to. I have no doubt that the funds of the country will not allow of a large increase to the salaries of teachers, but still some provision might be made. At all events I should like to see some prizes given to stimulate the teachers—prizes given to those who had deserved them by their good conduct and efficiency. That is a question which the General Government ought to take into consideration—the establishment of a normal training school. If they do nothing but that during the recess, I think they will have laid a foundation which will be of infinite service to the education of the country. It will be impossible for any single Province to accomplish the establishment of a model school, for of course it would be a costly undertaking, and would be required to be carried on for several years in order to produce an efficient schoolmaster; and when he had cost all that money, and gone through the training, the Province would have no guarantee that he would stay and devote himself to the work of education in the Province. If the Government can do nothing else, at all events they ought to set about establishing training-schools throughout the Colony. If they do so I shall be satisfied. With regard to the two resolutions, I am really indifferent as to which of them is carried. I should like to see either of them adopted, because it will indicate that the feeling of the House on the subject is gathering strength from year to year; and if the Government would only have the boldness to grapple with the question, great and important results would follow their action.

Mr. CREIGHTON was sorry that some honorable member from the Province of Auckland, who had been connected with the Government of that Province for a considerable period, had not risen to address the House on this subject, inasmuch as the observations which had fallen from honorable members during the debate, dealt somewhat unfairly with that Province,

in reference to the provision made by it for education in public schools. It was quite true that, for a few months of 1868, the provision made for the payment of teachers, under the Education Act, had not been continued by the Provincial Council, for the reason that there were no funds to pay the teachers. There was another reason also, he believed, which had something to do with this, and that was, that the Auckland system, although very successful so far as it went, was purely denominational, and that the entire funds voted by the Council passed into the hands of one or two religious denominations who availed themselves of the grant, while there were several schools maintained by other religious bodies in the Province which received no aid from the vote of the Council. He was happy to say that the feeling became very general in that Province in favour, not of the denominational system, but of the purely secular system of primary education. He had the honor of introducing and carrying through the Provincial Council of Auckland "The Common Schools Act, 1869," which embodied all the points in the resolution of the honorable member for Grey and Bell. The only point not provided for in the Common Schools Act was that in sub-section 7, which provided that the schoolroom should be available for religious teaching at hours appointed by the Committee, not being school hours. There was no such provision in the Auckland Act; and personally he must say that he had an objection to the use of any schoolroom as a church or place of worship in the Colony. He thought the religious bodies ought to provide places of worship quite apart from the schoolrooms. He would support the resolution of the honorable member for Grey and Bell, and trusted the amendment would not be carried. He looked upon the amendment as tending in the direction of stunting the growth of national feeling in this Colony, and perpetuating the evils arising from local and provincial jealousies. He regretted extremely that the honorable member at the head of the Government had supported such an amendment. The honorable gentleman had done so in a speech, the logical sequence of which would be in an entirely opposite direction. The honorable gentleman argued for a national system of education, and made a very strong case indeed in support of the resolution moved by the honorable member for Grey and Bell, and showed most forcibly that the Northern Provinces at present were unable to provide adequately for the educational requirements of the rising generation. At the same time, whilst the honorable member did so, he seconded the resolution of the honorable member for Clutha, which would have the effect of perpetuating those evils, so far as the North Island was concerned. As far as he understood the proposal of the honorable member for Grey and Bell, it was to this effect: that the House should pass a Bill which would compel the settlers in school districts, when proclaimed, to tax themselves for the purposes of education. That would not interfere with the school endowments and school funds of the Southern Provinces. He

thought, from the experience they had had in the Province of Auckland, since the Common Schools Act was brought into operation, that it was necessary that the House should pass an Act compelling the settlers to tax themselves for school purposes—to levy a school rate. The Act of the Provincial Legislature was practically inoperative for rating purposes. The leading principles of the Auckland Common Schools Act were these: that a school should be established in a district, and that it should be maintained partly by school fees, partly by local rates or contributions, and partly by contributions from the provincial revenue. At the time the Bill was being drafted he thought it was very likely, from his own knowledge of the settlers of this country, who depend upon the Government for almost everything they require in the shape of improvements, that it would be necessary to put a more elastic clause into the Bill. A clause was inserted in the Bill, therefore, which enabled the central board of education to assist the school districts without enforcing the clause as to rating; and the result had been that nearly all the school districts proclaimed had accepted the Bill so far, that they depended entirely upon the school fees and the aid given from the votes of the Provincial Council. They absolutely declined to rate themselves, and it was not possible for the provincial authorities to enforce the rating clause against the sentiments and feelings of the population. Now, he thought the House should step in and make it compulsory upon the settlers, in every place where a school district was proclaimed, to levy a rate to maintain schools in a manner satisfactory to the inspector of schools appointed by the Government. With regard to primary education, he believed they should look more to the American system than to the English system. He held in his hand a copy of a special report on popular education in Europe and the United States, by the Hon. Mr. Ryerson, which was presented to the Provincial Council of Ontario in 1868. He had read the report of the Royal Commission on Primary Schools, and he believed that Mr. Ryerson's report was the most complete and exhaustive paper on the subject of public instruction he had ever seen, or which was in print. He thought the Government would do well to obtain, during the recess, a copy of that report from the Government of Ontario, and model a Bill upon the suggestions contained therein. He had intended to read an extract or two from the report which occurred to his mind when the honorable member for Grey and Bell was speaking, because he thought they had a direct bearing upon the remarks of the Premier, who appeared to think that the work of education should be left to local bodies entirely, without the interference of the Supreme Legislature. In Mr. Ryerson's remarks on the American systems of public instruction, he found the following passage:—

“There is another educational feature common to all the neighbouring States, and worthy of the highest respect and admiration: it is the recognition of the right of every citizen to the means of

a good education, and the obligations of the State to provide for it. This is an article in the constitution of several of the States, and is recognized by a liberal provision in setting apart the proceeds of the sales of one-sixth or seventh of their public lands to form a school fund for universal education. This has been followed up by school laws, framed in the same spirit, and with the same design; very large sums of money have been raised and expended, and a network of schools has been spread over the land.”

He thought the New Zealand Legislature should follow the example which had been set in this respect by the States Governments; but even in America it was admitted that the system of state education, or rather of divers systems, had tended more than any other to produce a feeling of local jealousy, which had led to the recent struggles in America. If it were not that he might weary the House, he would like to read a portion of the concluding remarks of the Hon. Mr. Ryerson on this subject, which he believed had a direct bearing on the question before the House, as showing the necessity for establishing a national or colonial system of education, and not a merely local or provincial system of education. The Hon. Mr. Ryerson says:—

“In the foregoing pages I have made no reference to the other Provinces of our Canadian Confederation. In the application of my epitomes of facts and systems, I have confined myself to Ontario, as no national system of education seems to have been contemplated by the Confederation Act, and as each Province is an independent State in itself in respect to education, without educational identity or unity with any other Province. In this respect we have imitated, rather than have been warned by, the example of other ancient and modern confederations. An able American writer remarks:—‘So long as the education of our children is conducted under the laws of the separate States, without any homogeneity in the methods adopted for their sustenance and management, we shall lack a most important auxiliary to a true nationality. Each of the several States being left to adopt its own scheme, and to determine what shall be the method and measure of education imparted at public expense to all classes of children within its bounds, it is quite impossible to secure that uniformity of method, or thoroughness of administration, or strictness of responsibility, which a well-managed national bureau might achieve. The whole work is fragmentary and unmethodical. Each State has a different standard, grade, or measure of school culture. It must have its own method of preparing and employing teachers, of paying school expenses, supplying books, and superintending the movements of the machinery; but even when the reports of any two States happen to embrace the same items in form, they are made upon different bases, and no comparative deductions can be made from them. This will be obvious if we contrast any of our State reports with the reports of the Privy Council on Education in England, or of other European countries, in which we have a single connected view of

the working of the whole machinery, and all the connections and results, as if it were the report of a parish or district school.' That distinguished American statesman—the Hon. Horace Binney—remarks thus on the same subject, in a published private letter to a friend:—'The want has been incident to all Confederate States in all ages of the world. No mere league or treaty of alliance or federal compact has been able to give the whole people concerned a common country. Our Union has been more intimate than that of any other States, and yet I fear I must say, it has as completely failed in this respect, as it has in other countries in ancient or in comparatively modern times. We are born in the States—the State laws, bearing upon our most intimate personal relations, are over us, and State officers are the agents for their enforcement. It requires a higher view and more extended observation than the young take, or than the course of education takes, to see and feel the bearings of the union upon ourselves personally. I should almost despair of ever finding an effectual corrective if our domestic institutions were to remain permanently in the same condition, in all respects as they have been. Thus far, beyond doubt, the differences in certain State institutions have caused the greater part of our troubles, and finally brought about the greatest. Certainly one of the right ways is to accustom children and young people, from early life, to have the whole country and nation before them, and to keep its symbol in their hearts by every means which can associate it with our virtue, our honour, and our domestic and public safety.'"

If they substituted provinces for states, these remarks would be singularly applicable to New Zealand. He understood the object which the honorable member for Grey and Bell had in view was to create something like a national feeling on the subject of education. He trusted the honorable member for Clutha would withdraw his motion, and that the Government would, during the recess, take this great question into consideration, and devise a scheme of national education which would mould the youth of the Provinces to cherish the idea of a common and a great and united country.

Mr. STAFFORD.—Sir, I confess that I share in the disappointment which has been expressed by the honorable member for Ashley at the attitude which the Government have taken upon this question, not only so far as it might be inferred from the speech of the Premier, but also on previous occasions during the present session, when the question of providing education for the people of New Zealand has, in some shape or other, been brought before the attention of the House. I have been most reluctantly driven to the conclusion, not only that the Government has no heart in advocating or assisting in the promotion of any particular scheme or suggestion which has been submitted to the Legislature, having for its object that of providing that the people of New Zealand shall have a fair education, but that the Government

appears to imagine that it is something outside the scope of its functions to consider whether it shall rule a fairly educated people or a people in a state of semi-barbarism. The honorable gentleman at the head of the Government, on the occasion of his recent visit to Dunedin, stated, at a public meeting, that he represented in some sort the whole of New Zealand; but I must take leave to say that he does not represent the whole of New Zealand if he assumes that it is the duty of any Government to be absolutely indifferent to the question of whether there shall be brought up amongst its sections of the community fairly educated or absolutely ignorant; and that the country will very soon wake up to the fact that it must unmistakably indicate the opinion that, whoever shall occupy the Government benches, it does come within the scope of their functions to consider how they should best promote this very great question of the primary education of the people. I confess I cannot—notwithstanding the explanation made by the honorable member for Clutha, and what has been stated by the honorable gentleman at the head of the Government, who seconded the amendment—understand where the great distinction lies between the amendment and the motion of my honorable friend the member for Grey and Bell, except in so far as it may be inferred, and as has been inferred by the honorable member for Newton, that it is an attempt made, in a narrow-minded spirit, to retard and obstruct, so far as it is possible to do so, anything like a universal feeling throughout New Zealand on the subject. On reading the two resolutions, I find they both indicate that a Bill on the subject should be introduced. In that respect the honorable gentleman at the head of the Government has, by seconding the amendment, gone much further than we might infer he would wish to go from the observations which he made when speaking on the question; for if those observations proved anything, they proved that it was almost impossible, and certainly not desirable, to move in the question at all. As the honorable member for Ashley has correctly stated, there was any quantity of cold water thrown upon the idea of moving in any direction on this question. To the extent I have mentioned, the Government has pledged itself that it is desirable a Bill should be introduced; and that being the main question, in my opinion, it will of course fall upon the Legislature to determine in what shape the Bill shall ultimately pass. We shall have an opportunity of carefully considering it next session, when such a Bill is before the Legislature; and if it should seem good to the Legislature to do so, the Bill can very easily be shaped in the direction of the provisions recommended by the honorable member for Grey and Bell. The honorable gentleman at the head of the Government has certainly disappointed me in the cold-water attitude which he took upon this question, and which the Government has also taken on a previous question before the House—the Borough Schools Act—and the lukewarmness shown in regard to the question of the New Zealand University.

Mr. FOX.—The honorable gentleman will pardon me for correcting a mistake which he has just fallen into. The Government have supported the New Zealand University with the greatest possible earnestness and zeal, and I was Chairman of the Committee who recommended the introduction of the Bill on the subject.

Mr. STAFFORD.—I beg the honorable gentleman's pardon. I did not wish to misrepresent him, and I have been misinformed on the matter. I was surprised at one statement which the honorable gentleman made, to the effect that the Established Church in New Zealand had greatly obstructed the progress of education.

Mr. FOX.—No; I spoke of the old country, and not of New Zealand.

Mr. STAFFORD.—I was not aware of what the honorable gentleman meant by Established Church, the only one having the semblance to that name being what was called at home the Free Church of Scotland, but which might be called the Established Church of Otago. That is the only Church that would at all come within the shadow of the name of being established in this country, because it has large endowments for its maintenance within the original settlement. I may say that, feeling as I do very strongly on this subject, I think it would be very improper that any system of education should be interfered with or dominated by any denomination whatever. I think the various denominations have worked together cheerfully and without jealousy—certainly without obstructing each other or obstructing the state; they have done what seemed to them to be their duty in the matter of educating the people; and very considerable credit is due to those denominations for the exertions they have made in their several spheres in promoting the work of education. There was also a statement made by the honorable member for Clutha which also excited my surprise, and that was that Otago was the only Province in the Colony which had attempted, or, at all events, succeeded, in establishing a national system of education. He did not explain to the House what he meant by that term, "national system of education," and he left it to be inferred that opening the doors of schools to children of all creeds, where they could sit side by side and receive education side by side, was his interpretation of the term. If that is the interpretation to be put on a national system of education, I say that the same system has for a long time existed all over the Colony. I am not aware of any public schools where the children of all denominations cannot be instructed side by side, and which are not open to children of all denominations if their parents are desirous of their being educated therein. I say, therefore, that it was a rather unfair attempt on the part of the honorable member for Clutha to show that Otago had done something noble and magnanimous, which the narrow-minded people of the rest of the Colony had been unable to arrive at. On behalf of the other parts of the Colony I repudiate that interpretation, if that is the one sought to be given by the honorable member for Clutha, in attempting to

assume for Otago the possession of the only system of national education in the Colony. If such an assumption can be made at all by any part of the Colony, I say, without any fear of challenge, that it can be made by Nelson, which first established a system of education open to children of all denominations, free to children of all creeds, taking no more from one than from another, and throwing the school doors open to every child whose parents chose to take advantage of the system, without the payment of sixpence in the shape of fees for instruction. If that assumption can be made, as far, at all events, as originating the idea, it can be made by Nelson; but I do not say that Nelson has done more than other parts of the Colony in opening the doors of its schools to all, without distinction of creed. Again, I am not prepared to admit that, because there is no land fund in the North Island, therefore the people are to be content to let their children be uneducated; nor has it been shown that the existence of a land fund is necessary to maintain schools. Nelson has of late years only had land fund sufficient to defray the expenses of the land department. It is true that, for some years past, she has derived a fund from gold duties, called, by a species of fiction, territorial revenue, but the incomes from that source have mainly been spent, in the district from which they have been derived, for other governmental purposes, and have not been available for education. The public schools in that Province are maintained from other sources than the land fund, although a percentage of that fund, to the extent, I believe, of one-twentieth, has been devoted for the purpose of education; but that has been a very insignificant amount of late years, and, although a nominal contribution, is not practically one. I may say, also, that if we look at the statistics we shall find that the small Province of Hawke's Bay, which for many years has not had anything like a land revenue, has done as much in the way of opening up to the people of the Province the means of elementary education, as the largest and wealthiest Province in the Colony, having the largest and most continuous land revenue. That, in itself, is a proof that there is no special connection between the possession of land revenue and the existence of a good system of education, and I would ask those who contend that there is, what is to become of this country when the land fund is totally gone? The land revenue is looked upon by some persons as an inexhaustible fund, but we know that every year and every month and every day is exhausting that fund, and, I ask, are we to be told that when it is gone there will remain no recognized means for imparting elementary education to the children of the Colony? I hope there is not a member of this Legislature who will admit the truth of such an idea; and I assert that, while the Legislature is taking steps to establish a New Zealand University, it is absolutely necessary that we should contemporaneously recognize that it is our imperative duty to secure the means of elementary education for all. Sir, at this hour of the evening I shall not detain the House

much longer, and will only say that I shall give my hearty support to the motion brought forward by the honorable member for Grey and Bell. So far from thinking with the honorable member for Clutha, that his speech was dictated by a *cacoethes loquendi*, I say that great credit is due to any honorable member who, like the honorable member for Grey and Bell, will get up and support his motion by arguments, and by giving to the House the experience of other and older countries upon the question—great credit is due to him, and not an attempt at a sneer, such as was made by the honorable member for Clutha. The speech of the honorable member for Grey and Bell was not exhaustive, for he might have spoken for days upon this large question, and given infinitely more numerous illustrations, and adduced much more lengthy arguments, without introducing one word of surplage. I hope the honorable member will persevere in this and in analogous questions, and give to them that amount of attention and earnestness which characterizes him, so as to place them before the people in such a way that an intelligent opinion can be formed upon them. I shall have very great pleasure in supporting the motion of the honorable member for Grey and Bell.

Mr. RICHMOND.—Sir, I shall not occupy the time of the House long in reply. My object has been attained, to a very great extent, in having in a general way brought the subject before the House on the present occasion. When I put on the notice paper the long list of heads of the measure which I sought to indicate as desirable, I had, of course, no idea that the House would pledge itself to the particular views which I myself entertained. I wished, however, to put the proposals somewhat in detail before the country, as the basis for that discussion which the subject must receive out of doors before anything practical can be adopted. With respect to the complaint of the honorable member for Clutha, as to the length of my speech, I can assure the honorable member that, with a desire not to weary the House, I omitted many things which I had prepared as illustrations of the subject, and did not follow up a great many of the points touched upon in the heads which were printed in the supplementary order paper. At the same time, I am quite conscious that I do not deserve the praise bestowed upon my action by the honorable member for Timaru. I quite concur with the honorable member for Ashley, that there is no great objection to the amendment of the honorable member for Clutha, and it is only because it comes in a sort of semi-hostile spirit that I object to it all. It does appear to me that the honorable member for Newton has correctly characterized it when he said that it showed the cloven foot—a little narrow-minded desire to stop any action which may tend to establish some one point in which we may rejoice in our common nationality, and which may tend to the fusion of the people—not the Provinces—into one nation. I hope I have clearly explained that I have no desire whatever to interfere with any Province which is doing its work in the cause of education.

I say again, that no person, rising at the eleventh hour to take action in this matter, is likely to improve upon that which has been done by those who have been long in the field, but that is no reason why we should have any part of the country neglected or ill-treated. I should like to see my resolution carried, not for the purpose of compelling the Government to take up the particular heads which I have placed before the House, but because I wish the House to record the opinion that the education of the children of the Colony is a national duty and trust, and that we ought not to allow our fancy for any particular form of government to interfere to prevent us from promptly co-operating in that duty.

Amendment negatived, and motion agreed to.

NELSON CROWN LANDS LEASING BILL.

On the motion of Mr. CURTIS, this Bill was ordered to be committed next sitting day.

CASE OF JOHN RUNCIMAN.

On the motion of Mr. CREIGHTON, the House resolved itself into Committee to consider of an address to His Excellency the Governor, praying him to place on the estimates such sum as may give effect to the recommendation of the Committee to whom was referred the petition of John Runciman.

IN COMMITTEE.

Mr. CREIGHTON moved, That a respectful address be presented to His Excellency the Governor, praying him to place upon the estimates a sum of £279 10s., in order to give effect to the report of the Select Committee on the case of John Runciman.

Mr. CRACROFT WILSON, C.B., thought it his duty to inform the Committee of the real state of this case. He and some other members of the Public Petitions Committee disagreed with the report of the present Committee, and he thought that the Committee of the session of 1866 had given the House sufficient reasons for their having done so. The honorable member who had just moved this resolution had given no reason why this address should be presented to His Excellency, and had, therefore, placed him (Mr. Wilson) in a rather difficult position in not having anything to reply to, but he would give a short statement of the case, which would enable the Committee to judge of the matter. The petitioner in this case petitioned the House, in 1866, in order to obtain compensation for losses he sustained in the matter of the purchase of 294 sheep in 1864. The report of the Public Petitions Committee of that year, after reviewing the circumstances of the case, concluded thus:—

“The Committee direct me to report that they are of opinion that the petitioner, having by his own act, placed himself in a false position, his prayer should not receive the favourable consideration of the Government.”

In opposition to the decision of the Committee in 1866, the Committee in the present year reported to this effect:—

“The petitioner has again petitioned the House,

and the present Committee has, by a majority of six to two—the Chairman, of course, not voting, on the ground that Colonel Meade Hamilton, then commanding at Ngaruawahia, was a party to the deed referring the case to arbitration—reversed the decision arrived at in 1866, and has directed me to report that, in their opinion, the Colony should pay the petitioner the sum of £300, minus £21 10s., the sum originally paid by the petitioner to the Natives of Tamahere, and which sum was repaid to the petitioner at the time that the sheep were made over to the meat contractor, Johnson, for the use of the troops then engaged in active operations against the enemy.”

The merits of the case, so far as he could recollect them, were these: A person named Johnson was employed as meat contractor for the troops, Colonel Meade Hamilton was then in command at Ngaruawahia, and Runciman went up there and asked for a pass, to enable him to go on and deal with the Natives for some sheep. Colonel Hamilton told him there was no objection to his having a pass to go as far as the town of Hamilton, but no further; and, moreover, no permission was given to him to have anything to say to the Natives with regard to the purchase of sheep until Johnson had been communicated with. Johnson was telegraphed to, and he refused to give his consent to Runciman dealing for these sheep. The assertion was that Runciman went to Hamilton, and, not content with that, went on to Tamahere, and offered 2s. a head more for the lambs than Johnson had offered, and bought the sheep, paying the Natives £21 10s. as an advance. He then brought them down the river in two boats, towed by a steamer, and, on arriving at Ngaruawahia, was stopped and the sheep landed, Colonel Hamilton giving a cheque for £21 10s. to Runciman, the sum advanced by him to the Natives, and the sheep being handed over to the contractor, Johnson, and used by the troops. Subsequently, Colonel Hamilton signed a deed submitting the case to arbitration, and the two arbitrators having failed to settle it, it was referred to a referee, who awarded damages to the extent of £300 to Runciman. An attempt to make the award a rule of Court was made, and Runciman took the case into the Supreme Court for that purpose; but, on account of some irregularity, the application was rejected. A suit for damages was then instituted; but an Indemnity Act was passed that year, by which proceedings in the Supreme Court were stopped. Runciman now said that he was entitled to compensation to the amount of the award, in consequence of Colonel Hamilton having agreed to go to arbitration. There was no doubt about that point, but the question was, whether a man, signing a deed of arbitration and finding himself compelled to pay damages, which he knew at the same time to be unjust, was not justified in taking advantage of an irregularity and an Indemnity Act, and so save the payment of the damages. The irregularity in writing out the award was the reason why the Court would not make it a rule of Court—would,

not, in fact, allow judgment to issue. The moral part of the question hinged upon this, that the arbitrators awarded £300 damages as the prospective profit of Runciman upon the purchase of the 294 sheep, without deducting the cost price of the sheep, which the Government, not Runciman, had paid; but the Committee in 1866 thought, and he (Mr. Wilson) still thought, it was not justifiable to give such a sum when war operations were being carried on in that part of the country where the petitioner went to, and they recommended that he should not receive anything. This was a concise history of the case as he gathered it from the papers on the subject, but if there was anything which he had omitted he would be glad to explain it.

Mr. GILLIES would support the motion of the honorable member for Newton, as he happened to know a great deal about this transaction. He might say that the statement made by the Chairman of the Public Petitions Committee was correct as a one-sided statement—it was correct according to Colonel Hamilton's statement—but having had access to the documents, and to the evidence taken by the arbitrators, and having had occasion to advise Colonel Hamilton, when the award was set aside, that the only way for him to get out of paying the money was to claim exemption under the Indemnity Act, he (Mr. Gillies) was perfectly satisfied of the justness of Mr. Runciman's claim, and that the judgment of the Supreme Court would have been given in his favour but for that Indemnity Act. There was no doubt that, in justice, Mr. Runciman was entitled to recompense to the extent of £300, which only represented the profit he might have made on the sheep—not even what the contractor would have received for them from the military authorities. An arbitration was held, and an award was made, which, though it happened to be bad in law, must be accepted by every honest man as good in justice. It was upset on a point of law, and not on the question of the justice of the award, and therefore he would strongly support the motion.

Resolution agreed to, reported to the House, and the report ordered to be considered next sitting day.

UNIVERSITY BILL.

On the motion that the Speaker do leave the chair, for the purpose of going into Committee on this Bill,

Mr. ROLLESTON.—Before you leave the chair, Sir, I presume it is competent for me to say a few words on this subject. The amendments which I have put upon the order paper are of that character, with regard to this Bill, as to require some general explanation on my part of their purport before the House goes into Committee. I do not look upon these amendments as doing away with the necessity for the Bill, but as so far changing its character as to amount to a remodelling of it. I shall make no apology to the House for detaining it, even at this late period of the session, upon a question which has already

occupied so much of the attention of this House to-day, as well as on previous occasions. I feel, Sir, that this question of education is one in which we must proceed very carefully if we are finally to obtain a system that will satisfy the wants and requirements of the whole country. I feel we may make mistakes in matters of finance—we may make mistakes in ordinary legislation—but if we make a mistake in the course which we pursue with regard to this very important question, it will take years and years to recover ourselves, if, indeed, we ever can recover ourselves, from the evil effects of the errors we may initiate. It appears to me that, in bringing down this Bill, we have entirely ignored the action that was taken by the House two years ago. On that occasion a gentleman who stands in the foremost rank of education in this country—I allude to Mr. Simmons—came to Wellington from the Province of Otago, with the view of urging on the Legislature the desirableness of initiating measures for the establishment of a system of scholarships, to be held in the English universities, which were to be competed for in the Colony. The result of his efforts was the nomination, by this House, of a Select Committee, who took very great trouble in inquiring into the subject of education generally, and the results of their inquiries form one of the most valuable papers in the appendix to the journals of this House. It seems to me that we are at present somewhat forgetting what we did on that occasion, the decision of the Committee, and the general feeling of the House with regard to that decision. The Committee reported upon the subject of the establishment of a university and the foundation of scholarships as follows:—

“The Committee, for reasons which are well stated in some of the replies to the queries, and which need not be repeated here, cannot recommend any attempt to be made at present for establishing a New Zealand University, great as the advantages of such an institution would in some respects be; but, at the same time, they would earnestly recommend that the Government should embrace the opportunity of setting apart portions of the confiscated lands for the purpose of providing an endowment for a university, whenever the proper time may come for the founding of one,—and they think that the several Provinces should be invited also to set apart portions of Crown lands for the same purpose.”

The Committee, at that time, came to this conclusion after gathering together the opinions of all the men in the Colony best qualified to express opinions on such a matter; and I trust that this House will not, in any hasty manner, come to a decision which is adverse to the opinions which were collected with so much care from different parts of the country. I will not take up the time of the House now by quoting from the opinions that accord most with my own on this subject. There is one, however, that I think expresses, in a few words, what I should fail in expressing myself, and which really

embodies the gist of the whole case. The words are Judge Richmond's, and are as follows:—

“The time even for an Australasian University is not yet, in my judgment, come, and may never come. I do not consider this a subject of regret. In matters of education, these colonies may do well, for many years, to look to the mother country as their metropolis. It is, I think, a desideratum in this, and in every other way, to keep up our intellectual and spiritual connections with England. It is better to remain a healthy branch, than to become a stunted tree.”

The general feeling of those who gave their opinions on that occasion, was in favour of another point which I have embodied in the amendments that I have proposed. That point is the establishment of scholarships. We have already before us, in Tasmania, an example of the establishment of scholarships to be held at home. I know that there have been many objections raised to this, but they are mere objections to detail, to my mind, rather than objections to principle. For some time to come I hold that a university, in the proper sense of the term, cannot be established here with any advantage. At the same time, I recognize most fully that we do require something that shall take the place, in relation to our general educational system, that universities do at home; and, therefore, I think that a council of education should be appointed, who should at once be the trustees of the estates of the university, and who should be the regulators of the standard of education that shall be adopted in the different educational establishments throughout the Colony, by holding periodical examinations and establishing lectureships, and who shall give scholarships and exhibitions, which shall enable the youth of the Colony to go home and obtain the advantages that are gained by association with all the talent and high education that can be obtained at home. In Tasmania, in 1858, Sir Francis Smith brought in a Bill to establish eight scholarships of £200 a year, tenable for four years, two to be given annually; and, at the same time, a council of education was established in that colony, which should hold examinations for those scholarships, and which should also hold examinations for a certificate or diploma, like the A. A. degree, which is given by the Universities of Oxford and Cambridge in the provinces in England. There has not yet been time to know precisely the result of those exhibitions, but I may say, from my own knowledge of what has taken place already in that colony, that those who have been sent home have done themselves and the colony great credit, and some have returned with the greatest advantage to the colony. I have had the advantage of reading the report recently issued by the Tasmanian Government upon this subject, and in that report I find these words:—

“The real importance of the Scholarship Act is not to be seen by regarding it solely or even mainly in relation to the scholars themselves, but rather by regarding the immense stimulus which it has given to the cause of sound education

during the years that it has been in operation. It will be seen that the scholarships are the climax of a system whose effects extend to all primary schools throughout the island."

One of the principal reasons why I think we are not fit for a university is, that we cannot get that material which will enable us to offer the advantages that are obtained by the bringing together of large numbers in connection with one institution. My honorable friend the member for Grey and Bell has this day so fully discussed the general question of education, that I believe it would be presumptuous for me to go into it; but I wish to take occasion thoroughly to express my agreement with him, in what I understand to be his views and those of the honorable member for Ashley, with regard to the establishment of an institution of this kind. There are those, and I think the honorable member for Wairarapa is one, who object to endowments, in the way of funds, for high class education. I, Sir, cannot sympathize with that feeling at all. I should sympathize with it if we were establishing a class education, but the great object we have before us, in this Colony, is to enable the son of the labourer to move from the primary schools upwards, if he shows the ability to do it—to move easily upwards to the highest education that can be given by a university system. What we want to establish is the means of progressing from the primary school to the grammar school, and from the grammar school to the college. There are then, to the student, two courses open. One, of remaining here in the different employments which are open to men in the country, and the other, of choosing a profession which requires the highest education and greater opportunities of studying that profession than can possibly be obtained in this country. Take, for instance, the medical profession. What opportunity is there here for enabling the youth of the Colony to enter upon the requisite course of study to fit them for that profession? Is that profession, which is one of the noblest professions that a man can enter into, to be shut out from the youth of this Colony because there is no opportunity here of their becoming thoroughly master of it? Take the profession of the law too. I believe a large amount of law may be studied here with great advantage, as far as the mere technical study and bookwork of the profession goes, but I venture to think that, for years and years, the highest offices in that profession—the offices of judges, and the political appointments in connection with the law—will be closed to any who have not had the advantage of pursuing the study of their profession at home, and who have not had that knowledge of the world—that communication with a large number of men pursuing the same studies—that can only be obtained in the old country. I say that the highest branches of that profession are closed to us, unless we do something in the way of the establishment of scholarships which shall enable men to go home and study. The same obtains, to a great extent, with regard to men who have the qualification which men should have to take a degree in arts.

It seems to be perfectly absurd—and must do to the Premier, and others who know the standard that is set up in the universities at home—to talk or to think of our giving degrees in arts which shall have any real value in the world at large. Therefore I think that, in what are called the learned professions, we must, for years to come, look to the old country for the highest education that we can get. But when I say for years to come, I hope, and believe thoroughly, that as communication with the old country goes on—as those ties which we hope to see more closely binding us become stronger—the universities of the old country will be what we shall all look to for ages to come as the crowning point to our education in these colonies. Reverting for a moment to the observations of the honorable member for Wairarapa, to which I have alluded, I will say that I am confident, if you were to speak to those who are rising in the world here, and are bettering themselves, you will find among them the desire to promote the class of education that is necessary for opening to them the higher walks of literary and professional life. There is nothing that men who are rising in the world desire more than to have open to them and their children the highest education that can be obtained in the world. That feeling in favour of merely subsidizing the education of one class by the state is one which, I am happy to say, does not at all pervade the society of this Colony—at any rate, so far as my experience goes. I shall not detain the House further than to state the general effect of the amendments I propose. By the first amendment, I would suggest that the body which is proposed to be constituted shall be of a less pretentious character, and I would do away with the machinery of a Senate and other paraphernalia which we are not prepared for. I would create a body similar to that of the Queen's University in Ireland; a body which we may very properly look to as a precedent in this case. There will be connected with it the highest office in the Government, as it is in Ireland. That body will, for the present, represent the university that is to be, under the presidency of the Governor of the Colony, just as the Queen's University is presided over by the Lord-Lieutenant of Ireland. I think that this body should be chosen from different parts of the Colony, and that the highest ability and acquirements that can be obtained throughout the Colony should be represented in the members of that body. That is section 2. In section 3 I propose that this body or Council shall be nominated by the Governor, but that, when vacancies occur, they should be filled up by the members of the body themselves, as proposed in the University Bill, and that the vacancies, as far as possible, should be filled up from the different educational bodies throughout the Colony. The course adopted in Ireland was, not to establish a university first and colleges afterwards, but to establish educational bodies here and there, and bring the university, as an examining body, into connection with those bodies. At the present time we

are calling our schools colleges, and our teaching institutions we propose to call universities—we propose, at least, to call one teaching body in Otago a university, whereas a university is not principally a teaching body. The colleges teach, the university regulates. Put it as we will, that is what it comes to. I further propose to indicate more clearly what we mean by the functions of that body. In saying we will confer degrees in law, medicine, arts, and music, we are saying we will give that which will not be of the slightest value in this or any other country. Instead of that, I propose to give certificates of merit, exhibition scholarships, and prizes for the purposes I have already indicated. In section 15 I propose that the funds which it is intended should be at the disposal of this university Council shall be employed in fostering such colleges in the different localities, as may be determined upon by the university body, and which may bring themselves into connection with the university. In each of these colleges lectures should be subsidized by the Council, which cannot fail to be productive of great good. It will be a kind of incentive to establish those lectures in different branches of learning, it may be in chemistry or any other branch of natural science. The university shall subsidize those lectures, with a view to granting certificates of merit from time to time in regard to the various subjects taught. The university body should meet once or twice a year, and determine the standard of the examinations to be held in these different bodies, for the different purposes of granting scholarships and for classification in whatever form it may be determined upon. When that body is appointed these matters can be better considered. Do not let us prejudge the way in which the machinery will work. If we get a council of education in the way I propose, they will work in accordance with the system that is worked upon at home, and introduce machinery, as the necessity for it arises, which no similar institution in the old country will be likely to surpass. I shall not detain the House longer, but shall move the amendments.

Mr. BUNNY said the honorable member for Avon had totally misrepresented him when he stated that he was opposed to a high class system of education.

Mr. ROLLESTON—No, I did not say that.

Mr. BUNNY was not opposed to a high class education. What he was opposed to was making provision for a high class education to the neglect of elementary education. He would like to see a perfect system introduced, commencing with the elementary and rising up to the university system. The honorable member had said that in the institution proposed it would be open to the son of the labourer, if he showed the ability, to obtain those scholarships; but how were they to get the manifestation of intellect out him if they did not give him elementary education? As long as he was in the House he would oppose any grant of public money, the real object of which was to provide those with scholarships who were in a position to provide for their own education. He

would strongly oppose, in Committee, the grant of money proposed under the clause 15. He did not wish it to go forth that he was opposed to a high class education. What he wished to see was that the son of the labourer should obtain a sound elementary education.

Mr. BIRCH had listened very attentively to the speech of the honorable member for Avon, and he confessed that it struck him as being tinted throughout with provincial jealousy. The fact was, that in the Province of Otago there was a university endowed with 100,000 acres of land, and possessing buildings to the value of £25,000. A university would be established in Otago, notwithstanding any opposition which might be offered. He was perfectly astonished to hear the Superintendent of Canterbury raise a captious opposition to an institution which was already in existence—an institution which would, in a few months, have all the necessary appendages, in the way of professors and every other requisite, so that there would then be a place where young men from all parts of the country could go to be educated. If that university had been established in Christchurch he should have gone in for supporting it. It was all the same to him whether it was in one part of the Colony or another. It was sufficient that we should have it, and therefore it was that he was so surprised at the opposition which had come from the gentleman at the head of the Province of Canterbury.

Mr. MACOFFARLANE thought that on the second reading of the Bill its principles had been fully discussed, and they had only now to deal with its details in Committee. He did not quite agree with the honorable member who had just sat down, that the remarks of the honorable member for Avon were tainted with provincial jealousy. That honorable member had peculiar views upon this, as upon many other questions. Those views were fully argued before the Committee. The Committee had considered them, but decided upon overruling them, and had brought in the present report, which he hoped would receive the support of the House, and become the law of the land. He was as much opposed to a university without an elementary system of education as his honorable friend the member for Wairarapa could be, and would not support the one at the expense of the other; but they had in Otago reserves for certain educational purposes. They had an institution in existence, with buildings, to the value of £30,000, and land attached to the extent of 100,000 acres, which that Province was prepared to present to the Colony as a magnificent endowment for the purpose of establishing a university for the Colony of New Zealand, and was it wise in this House to refuse that offer? It was true that Dunedin must, in the first instance, be the *locale* of that university; but, nevertheless, it was a colonial university, and would be under colonial management. It might be sold at any time, and the proceeds be used for the purpose of building a university in Canterbury, Wellington, or Auckland. Those reserves were handed over in the fullest manner, and the House and the country would be stultifying themselves if they refused

to accept so noble an endowment. They might not be able to utilize it to the fullest extent at present, but the time might come when they could do so. Those gentlemen who were so desirous of promoting primary education, and who were so much in favour of a national system of education, would have an opportunity of organizing some plan which would form the basis of which this university would be the apex. The Colony would then possess a national system of education and a university. He hoped that the House would accept the Bill in its entirety, and they would then have an institution which would be a credit and an honor to the country when they had all passed away.

Mr. McINDOE hoped that the House would not run away with the impression that they could sell the estate which the Province of Otago was about to hand over to them for the purpose of a university. He might assure honorable members that nothing would defeat the object and the specific purposes for which that university was designed, and that they would not be in a position to sell the land and build a college somewhere else. He thought the honorable member for Dunedin had put the matter very clearly before the House. The amendments which were proposed by the honorable member for Avon were neither more nor less than an exhibition of provincial jealousy. He (Mr. McIndoe) might not have had the advantage of a collegiate education, but, taking a plain common-sense view of the question, he was opposed to the peripatetic institution proposed by the honorable member for Avon—an institution which, it would seem, would wander over the country. It would be better to have a certain fixed locality, in which it could exercise its influence. He trusted that the House would have no sympathy with the antiquated notions of that honorable gentleman, who considered that they ought to be obliged to go home to Cambridge or Oxford to be educated. He believed, on the contrary, that they should bring education to their own doors. He believed that the degrees of some of the American, and even some of the Australian Colleges, eclipsed those which were given in the old country, and more brilliant men were turned out of them. He was opposed to the principle which seemed to exist in the minds of some people, that no good thing could come out of Galilee, and he trusted that the House would take the same view, and give its assent to the Bill.

Mr. FITZHERBERT.—I cannot indorse all the opinions expressed with regard to local jealousies in this matter; and, though I differ from the honorable member for Avon, I am sure that he is not actuated by any unworthy motives, because, if there is one subject that would draw us out and elevate our minds, it must be one of this character; otherwise, while we are endeavouring to lay the foundations of an institution that will ennoble future generations, and promote philosophical and enlarged views, we ourselves, in doing that, would be guilty of the very lowest type of human thought. There are several subjects to which the attention of the House may

very fairly and reasonably be drawn in favour of passing this Bill. I do not believe for a moment that the views of the honorable member for the Northern Division are correct, and that it will be open to the Colony, supposing this Bill passes, to get rid of the endowment, and turn round and sell off these buildings. I believe there is no one in favour of this movement who would not be prepared now to give legislative sanction to the views generally prevalent, or who would do so under any false idea that we could hereafter alter the locality in which it is now sought to establish this university. If this Bill becomes law, then I say, as long as New Zealand exists, a university will be established at Dunedin. But, having said so much, let us see what is the rule proposed. I think I am right in stating the case somewhat in this manner: The Bill is brought down in consequence of those large practical views held in the Province of Otago, for which it has received eulogiums from all sides of the House, for its efforts in the direction of education. To crown their efforts in connection with that object, they brought down the Otago University Bill. They had provided, as we have had described to us, commodious buildings and large endowments of land, and they proposed to ask from this House that authority which this House only can grant—an authority which I cannot but think is the essence of any established university, namely, the power of granting degrees. Well, that Bill was referred to a Committee of both Houses, and it has come out in its present shape—that is to say, those who have represented Otago on that Committee came forward, in the most generous spirit, and declared that they were perfectly willing to abandon all local management, and to make a present to the Colony of this rich endowment. They say to the Colony, "Pass your own Bill. Supply this want in New Zealand, and we shall give you this handsome assistance to the project it is the desire of all of us to promote." Sir, I do not recollect an instance where any fractional part of a country has come down to the Legislature and made so magnificent an offer. What are the reasons why we should decline this offer? I am sorry that I was not present during the whole of the speech of the honorable member for Avon, because I always listen to him, on these subjects, with great respect, and I have a desire to agree with his opinions, if it be possible; but, so far as I could gather the tenor of his objections, they appear to be these: That instead of this university having a local habitation—a *habitat*—it should assume the form of a travelling body—an examination body, to assist the educational establishments—who would have the power of prescribing the form, character, and scope of examinations, and who should issue to successful candidates not degrees but certificates of merit; and, also, that in the case of those who need the very highest class of education, which many of those in this and other countries must ever want, they should be enabled to do so by the aid of the state, in case of merit, by completing their education at the Universities of Oxford or Cambridge.

Mr. ROLLESTON.—I did not mean to convey the idea of a travelling body. It would be no more a travelling body than the Queen's University in Ireland. It would be in a similar relation to our colleges as that university is to those colleges which exist under it in Belfast, Galway, and other places. That university, with the Lord-Lieutenant at its head, arranges examinations and other matters. It is not a travelling body, except that it travels to the centre, as regards Ireland.

Mr. FITZHERBERT.—I did not mean to turn the sense of the honorable member's language into ridicule, for I know that the views of the honorable member are those which are participated in by a great many persons. At the same time, let us consider why we should adopt the plan proposed here. I do not see that we arrogate or assume anything in following the model laid down by the Universities of Cambridge and Oxford. I think it is rather a laudable aspiration; nor do I think it is premature. About sixteen or seventeen years ago I published my views on this subject, and if there is one subject more than another to which I would desire to lend a hand, it is to this that we are now endeavouring to further. That is a guarantee of my opinion. At that time, large endowments might have been given, which would not have been felt by the country,—I am quite sure the necessary expense could have been met by curtailing the large amount of compensations we have paid, and the money we have squandered out of our public estate. Posterity would have blessed us for our efforts. What has been the result during those sixteen or seventeen years? Admitting always that a sweeping assertion will rarely be found to be correct, I say that in the main I should not be far from the truth in saying that during the period of the Colony's history in which youth has started into manhood, there is scarcely one of them who has become educated. It is not a flattering remark, but I merely say it from my own observation, and from what I have learned from others on the subject. I believe there is a great deal of truth in that assertion, and it is a very sad truth. It does touch upon the point to which I am directing my attention at present, namely, that the opportunity is not premature. I think it is a very grave responsibility thrown on the Legislature, that it meets during three months in the year and cannot bestow its thoughts upon that without which it is utterly impossible to continue the race of those people who are fit to govern the country. Why should it be either premature or undue assumption on our part, at this period of our history, to seek to establish these institutions? I am speaking as to the distinction between the model ancient institutions and those of the present day. It has only been during the last session of the British Parliament that the restrictive character of such institutions with regard to sectarian views has been removed—that that blot has been swept away from our ancient seats of learning in Great Britain. In this country we start with a new phase. We do not propose to perpetuate any of those evils and

obstructions which have grown up with an ancient state of ranks. In that respect, it cannot be said that we are copying their defects. On the contrary, it is proposed to take them as our model in what we believe to be good, and to be equal to the current of modern thought, and not to perpetuate those acknowledged evils by which, for a long time, their utility has been somewhat impaired. In relation to this subject, I may speak upon that part of the proposal which would enable young men to go from this Colony to the universities in England to finish their education. Of course, I am not prepared to gainsay the statement as to the improbability of their return to the Colony; but I can speak on this point on the very best authority. When I was on a visit to England, recently, I made very strict inquiries from sources that were entirely reliable, and where there was the real channel of information, as to the results of the experiment of sending young men from the colonies to the universities in Great Britain, and I was informed that it was a most signal failure. I do not pretend to say that such would be the result in every case, because I know of instances where young men from the colonies have gone home and distinguished themselves very highly, but I am speaking of the usual effect, not merely in an educational sense—not merely in an intellectual sense—but in a general way. I was informed, upon the very best authority, that it had a most injurious and unsatisfactory result. It could not but be so when we come to think of it. I may mention a testimony which is strongly corroborative of that opinion, as to the difficulties on account of which, I believe, the first university in the Pacific became established. I refer to the Sydney University. Many years ago I was in New South Wales and had several interviews with Sir Charles Nicholson, a gentleman who has always taken a great interest in this question, and who may be considered to have done more than any other individual to found that university. I spoke to him on the subject of young men being sent home for their education, and he assured me, and cited several instances to prove it, that it had ended in the most lamentable and grievous failure. I guard myself by saying that, notwithstanding this, many young men have gone home and distinguished themselves; but these are the exception, and not the rule. Independent of such evidence, we can scarcely come to any other conclusion; for what does it amount to in most cases? The sending of young men adrift to shift for themselves in the world, free from domestic influence, without which, I say, they would be better kept at home to follow the plough than to be sent adrift—sent to a strange place at a time of life when their experience of the world is so small. I believe it would end in our doing more harm to the Colony and more harm than good to the young men. There is another reason tending in the same direction, and which, to my mind, is entirely conclusive, as to whether we should not follow out the course prescribed, and supply that which we all acknowledge to be a want, namely, the highest class of education. I say, if you educate

those who are to fill high stations in the legal profession, or other learned professions, out of the Colony, and lead them by that habit of thought and intercourse which bends the mind in a certain direction you are bringing back to the Colony—I will not use the term aliens—but those who have not been so brought up amongst you as to have those sympathies without which no people can govern a country. It is not sufficient that the Government or Parliament of a country should have intellects, but they must have co-operative and sympathetic intellects with the country they have to govern. It would be a pretty mess to transfer the Parliament of Australia to New Zealand to govern. A pretty mess they would make of governing this country, not but that they might be our equals or superiors in intelligence. This is a matter well worthy of our consideration. We are, in fact, importing intellect from England; it is not the development of the native intellect. Notwithstanding the disadvantages of the system which I have hinted at, if we proceed to educate those to whom we are to look hereafter to guide the destinies of the country, we should find they had not those sympathies, or the comprehension of the genius of the country, which alone can be efficient and useful to the Government of a country. Then, as to the suggestion of the honorable member for Aron, namely, that we should have what would be called a university or central board of education, granting certificates and regulating various things in connection with education for the whole Colony of New Zealand. Why should we not have two, three, or four universities in New Zealand? There are the Universities of Oxford, Cambridge, Glasgow, Dublin, Aberdeen, and there is the university which has just been opened at Burlington House, London; in fact, their names are legion at home. The whole of my arguments are not worth listening to if it is not admitted that this country is now merging into a national condition. I say, if we do not go upon that basis, all the strength is taken out of my remarks. If this be so—and every one who has read the signs of the times, although some may be more sanguine than others, must acknowledge that such is the inevitable destiny of this country—we must model our institutions on that which is to be the inevitable destiny of the country. As I have said, there are at home seven or eight universities, and any number of colleges. To talk of colleges and universities is big, but the child is only following the steps of the parent, and because we call our schools colleges, and our colleges universities, is that not in keeping with everything else? Do we not call this little town a city, this Assembly a Parliament, and each other honorable members? And do we not think as much of ourselves as English Ministers of the Crown when we get on the Government benches? Indeed, we call ourselves Ministers of the Crown in New Zealand. We use big language of everything else, why should we not do so in reference to this subject of education? I see nothing inconsistent in it. One objection raised is that it is premature to establish a university. Another

objection is that one university will accomplish all that is to be done in New Zealand at the present time, and that there is no room in the country for more than one university. My belief is that, in the future, we shall have a university in Otago, another at Christchurch, and another, in all probability, at Auckland. No doubt if you have one such central, governing, directing, and examining educational body, in lieu of that which is proposed, it will grow into other proportions, as time, opportunity, and population increase. It ought, no doubt, to be in a central place; but for my own part, I believe it would be a very great injustice to the rest of the Colony, in respect to the matter of education, that all boys of the country should be compelled to come to Wellington, for instance, for the purpose of being educated—because boys are not like men and they form a large portion of the population. I say it would be a very great injustice if we should have so highly centralized a system as that, and it would be pursuing those ideas to an injurious extreme, so that we should not be able to carry them out. There does seem some propriety in having universities established at different centres throughout the country. Now, let us look at what has been done in other places. We need not despise the example set us by the neighbouring colonies. We have been recently invited to consider favourably proposals and measures based upon the model of what has been done in Victoria. In Victoria, so far as I know, the University Act runs nearly in the same manner as the present Bill, but they have not contented themselves with having merely an examining body. They have got a university, they have got a senate, they have got certain endowments, they have got various professors, and they have endeavoured to do their best to promote education of a high class. I do not agree with the idea that the degrees there are anything like what they are elsewhere, but they are doing a great work which is growing up, and, in years to come, it will become a very great institution, to which it will be an honor to belong. We have adopted the precedent then given as to the Public Works and Immigration Bill, and why should we not adopt the precedent as to the Education Bill? When we enter the neighbouring colony of New South Wales, we find the same thing there. In all the main particulars the present Bill is similar to the Act in operation there; so that, at any rate, we have precedents, not of old countries, but of countries situated like ourselves, peopled by men of the same class, having emigrated not long before ourselves and established new countries. We find that they have come to precisely the same conclusion, treating the want felt in the same way as we now propose to do. That is an argument which ought to weigh with us in this matter. So much for the reasons why we should not adopt the counter proposals which are made, and let us now consider the question from a business point of view. Are we prepared to refuse the offer made by Otago? When Otago comes to us and says, "Let the university be strictly colonial"—an offer coming from a Province where various views are

conscientiously held—I say it is as noble an act as ever was done. Are we prepared, on behalf of the Colony, to refuse so great an offer? I say no! Let us consider the bearing of the question on the proposal as to primary education. It does not seem a logical conclusion to arrive at, that, until we make proper provision for endowments for primary education, we are not permitted to do anything for universities. I do not think we are to be punished because we have not done our duty in one respect when we wish to do it in another. I am quite sure that the discussions which have been carried on, last session and this session, on the important subject of primary education, will not be lost. So far from preventing provision being made for primary education throughout the whole Colony, I believe no step we could possibly take would hasten on so desirable an object so completely as the carrying out of the proposal now made. Whilst we are taking 100,000 acres of land from Otago, we should not hesitate about giving a few thousand pounds a year to assist in giving effect to this great work; but I think it should be merely for a period of, say, ten years. There will no doubt be expenses in that period in establishing the institutions. There should be a grant from the public funds for a limited number of years, and the funds that would in time be realized from the institutions established could go as subsidies to the universities to be established.

Mr. TANCRED.—I am sure I was very glad to hear the statements of the honorable gentleman who has just sat down. I think in what he has said he has poured oil on the troubled waters. If anything the honorable member for Avon and myself have said could be considered as implying that our views were dictated by provincial jealousy, we must have been misunderstood, or we expressed ourselves very badly. Although generally favourable to the proposed amendments, I differ with the views of the honorable member for Avon with regard to the matter of exhibitions in connection with the universities in Great Britain. The Committee which was appointed to consider that subject did me the honor to ask my opinion on this point. My opinions are on record, and they are entirely in accordance with the opinions now expressed by the honorable member for the Hutt (Mr. Fitzherbert). That opinion, shortly expressed, is that it is very dangerous to send young men home—to throw them adrift on the world; and that, by picking out the best men to send to England, we run the chance of losing all the talent we have in the country. I say, whatever we do, let us keep all our talent here, and educate it by the means we have available in the Colony. I am glad that the honorable member agrees with me in that, because I see that he has been converted to the views which I then expressed. I find that the honorable member was a member of that Committee which was appointed to inquire into this matter, and that his views on that occasion were diametrically opposite to what he has now expressed. He was then in favour of exhibitions to the universities in Great Britain and

elsewhere, and he was also opposed to the establishment of a university here.

Mr. FITZHERBERT.—I think there was a Committee, so far as I recollect, and I think the honorable member, Mr. Dillon Bell, took an active interest in it; but, so far as I am concerned, I believe I never attended that Committee. I accepted the proposal as a *pis aller*, as I think the honorable gentleman has often found was necessary when he has had his mind filled with an idea which found no sympathy from those around him. For many years I thought it was impossible to establish a university, and thought it better not to run the risk.

Mr. TANCRED.—I am sure I am not wishing to convict the honorable gentleman of an inconsistency. I am aware that it is quite probable that I should express views now quite different from those which the Committee to which I may have belonged have expressed in my name. However, there is one thing in this report which is remarkable—that there was only one person absent at the time the report was drawn up. The Committee expressed their regret that they had been deprived of the support of the honorable member, Mr. Dillon Bell, from which I presume that all the others, among the rest the honorable member, were present. However, it is a matter which I am very glad to see has been disposed of. The proposal for the establishment of exhibitions to England was at one time a very fashionable proposal, which was taken up and advocated by almost every one. I am glad to see that honorable members, who have thought further on the subject, have seen that there are many serious objections to it. I go heartily for the Bill being committed; and, rather than see it lost, I will support the third reading as it stands, and I shall feel that we have done a good work if we pass the Bill even as it stands, notwithstanding that there are certain clauses which I should like to see eliminated from it. I mean those clause which localize the institution. I think, before we do that, we ought to pause, because we are taking a most important step, and one which will leave its mark upon what we do for all time. It is a question of very great importance. What I should like to see done would be this: that we should take time to consider this matter of localizing the university thoroughly, and that a Commission should be appointed which, during the recess, should inquire carefully into the probable effect of this part of the measure, and into the results which would follow from localizing the institution at this time. Then there is another question to be considered,—the question with regard to the endowment. There are certain endowments belonging to the University of New Zealand set apart under the Act of 1868, at present altogether unconnected with the University of Otago. Now, if we have a University of New Zealand established at Dunedin, some specific provision must be made for determining whether these endowments are to follow the University of New Zealand, and be added to the endowments which are already in existence and available for the Dunedin University. In that case,

of course, these endowments would not be available for the rest of the Colony. Now, it appears to me that some definite understanding with reference to these endowments should be arrived at; at all events, if it be decided to localize the university at Dunedin, some specific provision should be made with respect to these endowments. Either we should come to the conclusion that they should follow the university, to be available alone for the university at Dunedin, or we should say that they should be put in trust for the benefit of some other university, to be established hereafter for the benefit of the whole Colony. I believe that the endowments now available for the University of New Zealand in contradistinction from those of the Otago institution, will, in some years, be more valuable than those attached to the Otago institution. However, that will be a matter for the consideration of the Committee. I now mention this because I think that this Bill does not deal at all with this rather important part of the question.

Mr. H. S. HARRISON hailed with great pleasure the introduction of this Bill. He thought that the proposal of the Provincial Council and Government of Otago in this matter was so generous, so high spirited, and so disinterested, that it should be met with cordial support by the House. With regard to the proposals for the endowment of scholarships in connection with the English Universities, he viewed them with great distrust. His own view was that they would result in miserable failure. As for the idea of establishing three or four provincial universities, he thought that, in the present state of affairs, with their present population, and in their present position, such anticipations were premature, and that the proposal under discussion should meet with cordial support from this Legislature, as it was very likely to produce most gratifying results.

Mr. RICHMOND.—I am glad that this little provincial burst has quieted down. My opinion is that my honorable friend has misinterpreted the view I took of the case. I do not think that any honorable gentleman would desire to interrupt the passage of this Bill through the House because he should not be able to carry his own view of any particular part of it. I agree with the honorable member for the Hutt that it is our duty to accept this Bill, whether we agree with some parts of its provisions or not, as an important step in the right direction. I am glad that the honorable gentleman has taken a more liberal view than he expressed on a former occasion as to the amount which he thinks the Colony ought to pay towards the support of such an institution in the first instance, for, in addition to the opinion referred to by the honorable member for Ashley, I find that my honorable friend, in 1867, when he was himself Treasurer, thought it would not be prudent to propose more than £2,000 for such a purpose, whereas he now thinks that £3,000 should be given. I do not know that the Colony is in a better position to do that now, or that it is less incumbered than it was then; I imagine that its

liabilities have been rather increased than otherwise. But I agree that the proper mode of dealing with institutions of this kind is to treat them in the same manner as we treat our colonial industries,—by giving them a bonus at the first start. I think that the objection of the honorable member for Avon to the localization of the university is purely a practical one. I admit that it is probable that it may be found necessary to give the university a local habitation as well as a name. It must have an office of some sort, but the great difficulty of uniting it with any body which undertakes the practical work of teaching, such as the Dunedin College, is this: you make it difficult, if not impossible, to gather together, for the purposes of the university, all the ability and education available for the purpose which may be scattered throughout the Colony. I speak as one whose education would not entitle him to become a member of any such body; but if I were qualified in other respects, I should be loath, indeed, to have saddled upon myself, in addition to the duties of a member of the university, the charge of a college, which, I think, requires the constant presence of a supervising body. The uniting of this educational council with a college appears to me likely to work a great evil in that respect. There will be a difficulty in obtaining the services of some of the most desirable men in the Colony for the purpose. There are also other reasons for objecting to the union. I think a little too much is made of the importance of these endowments—not that I wish to detract from the general praise which has been given, and justly given, to those who are initiating the Otago University. No doubt it was a liberal offer, and liberally meant; but I do not think that large permanent endowments—in the first instance, at all events—are essential to a university, properly so called. The right course would be that, in the first instance, the government of the university should organize itself and carry on its duties without incumbering itself with any superfluous burdens of administration. If the Committee should be in favour of retaining the union clauses, I shall take the course indicated by the honorable member for Ashley. I think that gentlemen who took part in the management of such a body would themselves be desirous of effecting reforms hereafter. Power should be given in the Bill, not only for creating other universities hereafter, but also for removing the central university from Dunedin, if it should be found advisable to do so, leaving, of course, to the Dunedin College the whole of the endowments intact which it brought into the partnership. If that should be done, I shall be content, even if the Committee determine to retain the union clauses, that the Bill should pass its third reading.

Mr. FOX.—I think the debate has been rather unprecedented in going into Committee, but that is, to some extent, excusable on this occasion, as the Bill which has been brought up from a Select Committee of both Houses is not the Bill originally presented to this House. I cannot but say that I felt greatly disappointed at the remarks

which fell from the honorable member for Ashley and from the honorable member for Avon—two gentlemen who are supposed to have given great attention to the subject of education, and who usually set themselves up as authorities on the question. I cannot help regarding the remarks which fell from them as throwing a great deal of cold water on the Bill. I expected from those honorable members more warmth and more support for this measure than they have given it. It seems to me that the whole object of the remarks, of the honorable member for Avon, especially, was to throw cold water on the Bill—damning it with very faint praise indeed. I do not for one moment concur in the imputation which was cast upon the honorable member for Avon, of having allowed petty provincial jealousies to affect his judgment in this matter, but I think I can explain to honorable members how that impression came into the minds of those honorable gentlemen who have thrown that imputation upon him. The Committee was a large joint Committee of both Houses, representing among its members, I believe, every Province in New Zealand, and it was remarkable that, while all the other members from the other Provinces appeared to get on very well together, the honorable members from the Provinces of Canterbury and Otago had a standing feud upon the subject from the first, and there was nothing like harmonious action between them in the matter. That probably gave rise to the impression that the honorable member was actuated by feelings of petty provincial jealousy.

Mr. ROLLESTON.—There were others who differed, besides the members from Otago and Canterbury.

Mr. FOX.—I think the honorable member will admit that he was almost the only one who took a particular part in combating the views of the honorable members from Otago, and that, when they came to a final division on the Bill, there was very little difference of opinion between the other members of the Committee on the subject. Honorable members will readily understand how the idea gathered strength in the mind of some members of the Committee, that the honorable member for Avon was actuated by such motives, but for my own part, I acquit him of having been animated by any other feeling than of that a noble rivalry, such as might naturally exist between two Superintendents, from rival Provinces, who were living, as it were, within a few yards of each other. Of course, that is the more generous way of looking at it. I do not sympathize with the honorable member for Avon in his anxiety to depress the level of educational institutions in New Zealand, and to prevent them from assuming pre-eminence and emulating those of the old country. Our institutions will never succeed unless we set up a high standard of excellence, for it is with institutions as it is with individuals—the person who is content with a low standard never attains to anything but low results. On the other hand, those who set up a high standard, though they may not achieve all at which they aim, yet attain an elevation far higher than they would

have done if they had set before them only a low object of ambition. I think this is a very important point, and one that should not be lost sight of. I quite agree with what the honorable member for the Hutt (Mr. Fitzherbert) has said about the inefficiency of the plan of providing scholarships, and sending young men home to be educated in the universities in the old country, as if that could be a substitute for a high order of education among ourselves and the establishment of a high class of educational institutions in the Colony. An honorable colleague of mine, who has recently returned from England, tells me that he heard the same account given in England as that which has been given by the honorable member for the Hutt—that the system of sending young men home to be educated at the universities had operated, in the main, as an absolute failure. Let any honorable member picture to himself the position of a young fellow taken from school in this country, and sent home to one of the universities—having no connections or relations in the old country, at all events relations in circumstances sufficiently wealthy to enable them to open their doors to him and to afford him the advantage of their hospitality during his sojourn in England. In what circumstances would he then be placed during the vacations? And it must be remembered that the vacations occupy about six months of the year—the long vacation alone, at Oxford, occupying nearly four months. What are these young fellows to do during the vacations? In Oxford they are not even allowed to remain at the university;—they must go somewhere and where are they to go to? Take the case, for example, of a young man, the son of some humble colonist, who, having attained distinction in his scholarship in the Colony, has been sent home to the university. Having no friends at home to receive him, in what condition would he find himself during vacation time? He would be cast abroad, floating upon the surface, not of English society, but on the surface, so to speak, of the English country? To my mind, nothing can be more deplorable than to see a young man placed in such a position,—a position in which he must either sink into a mere scholastic drudge, if he sticks to his books, or become, perhaps, for want of family influences and friendly aid, a less estimable character than the scholastic drudge. With regard to the honorable member's idea of an abstract body, having no local habitation but only a name, being gathered from time to time for the purpose of holding examinations, framing rules, and conferring degrees, it is, in my opinion, far too abstract an idea for a matter-of-fact Colony like ours. Any such institution in this country must have, combined with it, practical education and a local habitation; and we may have, hereafter, others of the same class established in Auckland, in Canterbury, and even in Wellington—if poor Wellington should ever rise to such a height of prosperity as to entitle it to have a university of its own, or even rise beyond mere elementary teaching. It is possible that the University of New Zealand, after having thus laid so many fine

nest eggs, and having raised a progeny of scholastic institutions, may become a body of that abstract character which the honorable member for Avon has propounded. I think we should be wasting our strength, and throwing away a noble opportunity, if we did not avail ourselves of that magnificent endowment which the Province of Otago and the Colony have placed at our disposal for this purpose—a hundred thousand acres of fertile land.

Mr. STAFFORD.—I think there is some fallacy in the view which the honorable gentleman has taken as to the result of sending young men home to the English or to the other universities on the European continent. If I thought that an equal education could be afforded by any institution in New Zealand, whether called a university or not—because it should be borne in mind that the calling a thing a university would not give status to the *alumni*—I would prefer it; but I would like to ask the honorable gentleman what would be the effect of any degrees conferred by a New Zealand University for many years to come, compared with those given by universities possessing a world-wide reputation? If I thought that these degrees would be of anything like equal value, I should not hesitate a moment in deciding that we ought to concentrate the whole of our means in establishing a local university; but I take leave to doubt whether any such result would follow, nor can I see that any injury in the least would happen from having a few scholarships, and a portion of the endowment of the Colony disposed of towards granting exhibitions to some of the universities in other parts of the world. I would by no means confine them to Great Britain, as I am not at all sure that it might not be desirable to give students the option of going to some of the continental universities, or even some of the American ones; but I should like to see, side by side with the attempt to create an institution of the very highest class which the Colony is able to afford, the means also of giving the very highest education which the world can give to a few of the sons of New Zealand. I am at a loss to see where this great liberality is that has been referred to on the part of the Province of Otago. The 100,000 acres of land cannot be taken away. It seems to me that what Otago is getting by this case is simply the status of a New Zealand University instead of a provincial one. She is retaining the whole of the endowment, and getting the name of having within her borders the highest educational institution of the Colony, instead of having merely a provincial one. And it is very likely, as the honorable member for Ashley has said, that all the endowments that have already been set apart for a New Zealand University in other places would very probably follow this Bill, and be concentrated and devoted to the support of the local institution of Dunedin. I must say I fail to see any liberality at all. If Otago gave 100,000 acres of that fertile land which has been spoken of for a university, or for a college—for I must really prefer to say I think it can only be a college—to some other part of the Colony, she would certainly have a right to talk of liberality;

but she has done nothing of the kind. She asks the Colony, partly from the consolidated revenue, and partly from the land endowments of other places—

Mr. BIRCH.—No, no.

Mr. STAFFORD.—The honorable gentleman cannot have read the Bill. Will he tell me what is the meaning of clause 15 of the Bill, which says that the Colony shall annually pay £3,000 out of the consolidated revenue of the Colony towards the expenses.

Mr. BIRCH.—It has not passed the House yet.

Mr. STAFFORD.—Of course I am assuming that the promoters of this Bill are endeavouring to pass it through the House in its present shape, and, that being the case, I fail to see one single indication of liberality on the part of Otago in the matter. I must say that I very largely share the views that have been expressed by the honorable member for Avon and the honorable member for Grey and Bell. I think that what we want at first, and all that the Colony can safely do, is to establish a Council with an office, and that if you attempt to combine or to localize them, either at Dunedin or elsewhere, you will simply have one of two results. Either you will have men nominally responsible for a system of management which they cannot possibly supervise because they do not reside on the spot, and who, therefore, when justifiable complaints of mismanagement are made would, from regard for their reputation, one by one secede from the management, or you will compel the Council to be selected from persons resident on the spot. Whoever may be first appointed by the Governor—and there may be a great attempt made, in the first appointment, to select people indiscriminately from all over New Zealand as chancellors, vice-chancellors, and councillors—the result will be, as certainly as we pass this Bill in its present shape, that in five or six years there will scarcely be found, outside of Otago, a man who will be willing to accept any of these appointments. That is admitted by the Dunedin people themselves, and yet they boast of their great liberality in conferring a university on the country, when they are rather proposing that the country should contribute towards a local institution. We shall have, I dare say, some persons in the Province of Otago—as they are to be found in most Provinces—who are perfectly competent, and eligible in every respect, to take the management; but there is not the least doubt that although you can find many such in the Province, there will be, outside of that Province, a good many others, equally competent, who will be absolutely debarred from having anything to do with the management and supervision of that institution. Having that belief, I confess I am altogether indifferent to the Bill passing in its present shape. I am quite aware it is not at all likely to pass in any other shape this session, but I must refuse to be one of those who hail the passing of this measure as any very great thing that has been done for the Colony. It will simply be a recognition of a respectable college—a kind of institution which, as the other parts of the

Colony progress, we have every right to hope will be established in other places also. But a preference has been attempted to be given to this institution by calling it the University of New Zealand, when it will fail, in a few years, to have anything more than the character of a local institution.

The House then went into Committee on the Bill.

IN COMMITTEE.

Clause 2.

Mr. ROLLESTON moved that the first part of this clause be struck out, for the purpose of inserting the following:—

"From and after the passing of this Act, the Governor of the Colony, for the time being, who shall be, *ex officio*, chancellor of the university, with twelve other persons to be appointed after the passing of this Act by the Governor, and their successors to be selected as hereinafter provided, shall be a body politic and corporate, by the name of 'The Council of the University of New Zealand,' and by that name," as in Bill to words "appertaining to a body politic."

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	17

Majority for	...	...	...	10
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AYES.

Mr. Armstrong,	Mr. Macandrew,
Mr. Barff,	Mr. McGillivray,
Mr. Borlase,	Mr. McIndoe,
Mr. Bradshaw,	Mr. McLean,
Mr. Carrington,	Mr. Mervyn,
Mr. Clark,	Mr. O'Rorke,
Mr. Dignan,	Mr. Swan,
Mr. Fitzherbert,	Mr. Vogel,
Mr. Fox,	Mr. Webster,
Mr. H. S. Harrison,	Mr. R. G. Wood,
Mr. Haughton,	Mr. W. Wood.
Mr. Howorth,	<i>Tellers.</i>
Mr. Kelly,	Mr. Birch,
Mr. Kynnersley,	Mr. Macfarlane.

NOES.

Mr. Bunny,	Mr. Stafford,
Mr. Gillies,	Mr. Stevens,
Mr. Hall,	Mr. Studholme,
Captain Kenny,	Mr. Tancred,
Mr. Kerr,	Mr. Wells,
Sir D. Monro,	Mr. J. C. Wilson, C.B.
Mr. Munro,	<i>Tellers.</i>
Mr. Patterson,	Mr. Curtis,
Mr. Richmond,	Mr. Rolleston.

The amendment was consequently negatived.

Clause 3.—Council, by whom appointed.

Mr. ROLLESTON moved that the first part of this clause be struck out, with a view to insert the following:—

"Whenever any vacancies shall occur in the said Council, either by death, resignation, or otherwise, such vacancies shall be filled up as they

occur, by the election of such persons as the Council shall for that purpose elect at meetings to be duly convened for that purpose. Provided that, in the event of the said Council failing to fill up such vacancies within six months of the time at which they occurred, the Governor shall forthwith appoint members of the Council to fill such vacancies. Provided, also, that such vacancies shall, subject to such Statutes as may be made in that behalf by the said Council, be filled from the members of colleges, or other educational establishments in the Colony, which may be affiliated to the said university, as hereinafter provided."

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	25

AYES.

Mr. Barff,	Mr. Kynnersley,
Mr. Birch,	Mr. Macfarlane,
Mr. Borlase,	Mr. Main,
Mr. Bradshaw,	Mr. McGillivray,
Mr. Brown,	Mr. McIndoe,
Mr. Carrington,	Mr. McLean,
Mr. Clark,	Mr. Vogel,
Mr. Dignan,	Mr. Webster,
Mr. Fitzherbert,	Mr. R. G. Wood,
Mr. Fox,	Mr. W. Wood.
Mr. H. S. Harrison,	<i>Tellers.</i>
Mr. Howorth,	Mr. Haughton,
Mr. Kelly,	Mr. Macandrew.

NOES.

Mr. Armstrong,	Mr. Munro,
Mr. Baigent,	Mr. Parker,
Mr. Bunny,	Mr. Patterson,
Mr. Collins,	Mr. Richmond,
Mr. Creighton,	Mr. Stafford,
Mr. Curtis,	Mr. Stevens,
Mr. Gillies,	Mr. Swan,
Colonel Haultain,	Mr. Tancred,
Mr. Jollie,	Mr. Wells,
Captain Kenny,	Mr. J. C. Wilson, C.B.
Mr. Kerr,	<i>Tellers.</i>
Mr. Mervyn,	Mr. Hall,
Sir D. Monro,	Mr. Rolleston.

The Chairman gave his casting vote with the noes.

Question put, "That the words proposed to be inserted be so inserted," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	24

AYES.

Mr. Baigent,	Mr. Parker,
Mr. Bunny,	Mr. Richmond,
Mr. Collins,	Mr. Rolleston,
Mr. Creighton,	Mr. Stafford,
Mr. Curtis,	Mr. Stevens,
Mr. Hall,	Mr. Swan,
Mr. W. H. Harrison,	Mr. Tancred,
Colonel Haultain,	Mr. Wells,

Mr. Jollie,
Captain Kenny,
Mr. Kerr,
Sir D. Monro,
Mr. Munro,

Mr. J. C. Wilson, C.B.

Tellers.

Mr. Gillies,
Mr. Mervyn.

NOES.

Mr. Barff,
Mr. Birch,
Mr. Borlase,
Mr. Bradshaw,
Mr. Brown,
Mr. Carrington,
Mr. Clark,
Mr. Dignan,
Mr. Fitzherbert,
Mr. Fox,
Mr. H. S. Harrison,
Mr. Haughton,
Mr. Howorth,

Mr. Kelly,
Mr. Kynnersley,
Mr. Macfarlane,
Mr. McGillivray,
Mr. McIndoe,
Mr. McLean,
Mr. Vogel,
Mr. R. G. Wood,
Mr. W. Wood.

Tellers.

Mr. Macandrew,
Mr. Webster.

The Chairman gave his casting vote with the
ayes.

The amendment was consequently agreed to.

Mr. FOX said that, as the amendment which had been agreed to by the Committee entirely destroyed the fundamental principle of the Bill as sent down from the Select Committee, he, as Chairman of that Committee, must decline to proceed further with the measure. He would, therefore, move that the Chairman leave the chair.

Motion agreed to, and the Chairman accordingly left the chair.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following message from the Legislative Council:—

The Land Transfer Bill, and the Crown Grants Bill, which were read a first time, and the second readings fixed for Friday.

That they had passed the Colonial Reciprocity Bill, with amendments, which were ordered to be considered next sitting day.

PRIVILEGE.

Mr. MAIN wished to bring to the notice of the Speaker a question of privilege. When the House was in Committee on the New Zealand University Bill he had voted on the first division, and on the last division which took place he left the House and ran to the library and back, but before he, in company with several other honorable members, reached the House, the doors were locked, and they had been, therefore, excluded from voting. He wished to direct attention to the fact that the time allowed was too limited, and that two minutes could not possibly have elapsed between the period of his leaving and returning to the House. He desired to record his protest of the fact that he and three other honorable members had been excluded from voting, although they were within the precincts of the House.

The SPEAKER.—Is the honorable member prepared to prove that there was any departure from the usual practice?

Mr. MAIN said that he was prepared to do so, inasmuch as he could walk the distance in two minutes, whereas, on this occasion, he ran. The question at issue would have assumed a very different phase if he and the other honorable members had been allowed to vote.

Mr. McINDOE could corroborate the statement of the honorable member, as he saw him go up to the door with another honorable member, but they were excluded.

Mr. BARFF had seen the honorable member for Port Chalmers outside the door, and he appeared extremely anxious to be shut out.

Mr. CARLETON.—I can say that the sand had run out and that the two minutes had elapsed. I had, therefore, no choice in the matter.

Mr. BIRCH thought that if the honorable member for Port Chalmers had been particularly anxious to have voted he could have done so, as the usual time was allowed.

REPRESENTATION BILL.

Mr. FOX was about to ask the House to do rather an unusual thing, namely, to read the Bill a second time, although it had not been printed nor circulated. He should have caused it to be printed and circulated before now, but, on account of the absence of the material part of the Bill, he had been obliged to keep it in suspense. The main provisions of the Bill might be inserted when the report of the Select Committee was brought up. He believed that the Committee had prepared a report, and had sent it to be printed, but that, owing to the press of business, it had not yet been received. For that reason neither the Bill nor the schedule had been circulated amongst honorable members. The reason why he considered that he was in a position to ask that the usual course should be departed from was that, with the exception of the schedule, the enumeration of districts, and the numbers of members for each district, the Bill would be identical, word for word, with the Act of 1860. He asked the House to suppose that he was in possession of the Bill of 1860, and to allow him to move that it be read a second time. If that course were not taken, the Bill would probably be postponed until next week, and he was anxious that it should be proceeded with as soon as possible.

Mr. BARFF rose to a point of order. He was under the impression that it was a breach of privilege to allude to a report, or to the substance of a report, before it was brought up. It was impossible to proceed with this Bill until they knew the substance of it. In common with many other honorable members, he held very strong opinions as to what he supposed to have been the action of the Committee. He had protested against the constitution of that Committee, and he should continue to protest against what he believed to have been their proceedings up to the present time. He would ask whether it was competent to discuss a question which was still before the Committee?

The SPEAKER said that the honorable member was quite correct in the statement that it was

not regular, or in order, to refer to the proceedings of a Committee until it had reported, but he did not know that that had anything to do with the second reading of the Bill.

Mr. FOX said that what he proposed was to read the Bill in blank, leaving the material part of it to be filled up in Committee.

Mr. HAUGHTON did not think that there could be any difficulty in the matter. He held much the same views as the honorable member for Westland South as to what would be the probable shape of the Bill, but, at the same time, he would not oppose the second reading of the Representation Bill, because it was simply affirming that the representation of the Colony should be readjusted.

Mr. CARLETON said that no one could contest the principle of the Bill, as they were all agreed upon the necessity for such a measure; but, if what he had heard about the Bill was correct, it was very improbable that he should be able to vote for the third reading.

Mr. BORLASE would not object to the second reading of the Bill, but he hoped that the Government would distribute the schedule in print at least a day before it was discussed in Committee.

Mr. BARFF hoped that there would be a debate on the principles of the Bill before it was committed, because it would be extremely unfair to the House that, on a question of such magnitude, an opportunity should not be afforded of fully discussing it.

Mr. BUNNY said that the whole question would be raised when the schedule recommended by the Committee was laid before the House. The Bill now proposed was a mere skeleton, and the proper time to take the discussion upon the distribution and the readjustment of the electoral districts would be when the Bill was in Committee.

Leave was granted, and the Bill was read a second time and ordered to be committed on Friday.

TURNER LAND GRANT BILL.

This Bill was considered in Committee, and reported with amendments, which were ordered to be considered next sitting day.

SALE OF SPIRITS IN NATIVE DISTRICTS BILL.

This Bill was considered in Committee, and reported with amendments, which were agreed to.

On the motion, That the Bill be read a third time,

Mr. CARLETON said that he was sorry to occupy the time of the House for even a few minutes in reference to a Bill which had received the unanimous assent of the House, but he had received a letter from certain chiefs in the North Island which he desired to read to the House, and he hoped he might be permitted to incorporate it in his speech. He wished the letter to appear in the report for another reason, that the chiefs might see that attention had been paid to it.

“Waima, 23rd July, 1870.

“FRIEND CARLETON,—Salutations to you and

Nene Russell! This is our address to you both: Make this statement publicly known before the Assembly by whom the laws are made, namely, ‘That the license for the sale of spirits be extended or given to the Natives of this, the northern end of this Island.’ Our reason for making this application is this: as soon as the Natives became possessed of Crown grants, they then became entitled to vote for persons coming forward to stand for the offices of Superintendent, for the Provincial Council, and for the House of Assembly.

“Now, then, before any law has been enacted whereby the Maoris should be entitled to sell spirits, Mr. Barstow, the Resident Magistrate at Russell, Bay of Islands, has accepted the votes of the Maoris, by which the license of Mr. Goffe, to sell spirits, recently cancelled, has been returned to him (at the Waitangi Falls).

“Our argument has been this: the law has said that the license to sell spirituous liquors shall not be given to the Maoris; therefore, we say that votes held by Maoris are of no avail for the purpose of renewing Goffe’s license.

“Secondly,—Make it publicly known to the Assembly, whose duty it is to make laws, that it is desirable that some Natives should be admitted to Barstow’s licensing bench, and, also, that Natives should be permitted to return members to the Provincial Council. Our reason for thinking this has been, that, as far back the treaty of Waitangi, the Maoris were declared to be equal with the Europeans in all respects. But what has been the actual state of things? It is this: that we, the Native people of Hokianga, at this present moment, who have always been loyal and obedient to the law, are, by the operation of the law itself, divided from the Europeans; that is to say, there is really one law for the Europeans and another for the Maoris. Another view of the matter is this, which we request you to state openly before the Parliament: the law is admitted to be, in point of importance, greater than man himself, and that if either Maori or European trample under foot or break the law he is to suffer the penalty due for his crime; or if he be a half-caste, the law is to punish him in the same manner.

“We make these remarks because we observe that the law is powerless to prevent the evil doing of those persons who put themselves in opposition to the law. For example, the law has said that spirituous liquors shall not be given to Maoris, but how stands the case? Why thus: that there are many Europeans and Maoris who are together engaged in selling spirituous liquors in this Northern part of the Island. The Europeans supply the liquor to the Maoris for the express purpose of being sold and conveyed to the Native districts. We find, therefore, that the white man is the most active agent in breaking his own laws. For instance, there is a law for the district of Waima, which forbids the sale and use of intoxicating liquors, but how is that law respected? Why, in this way: that both . . . have grog-selling shops at the . . . Now, then, if a Maori sets at nought the law he is to be punished; but if the white man breaks

the law what follows? Nothing is done: yea even the law which has been made by the Act of the Parliament. We ask, then, how is it that the white man can do this in defiance of the law? It is simply this: that the law really has no power to punish men who do these illegal acts—they evade the laws which have been made by a Parliament of their own.

"The law forbidding the sale of intoxicating liquors in the Waima district has been approved of by Mr. McLean, because he has seen the good effects of this system as carried out by his friend Moses Tawhai and by the whole of his tribe. Now, at this present time is the agent employed by at the settlement of for the purpose of selling his spirits to the Maoris, and in that store he has now fifty gallons of spirits. We are afraid to send away those spirits, for fear of offending against the great law, and lest we should be charged with committing wrongs against the European settlers of Hokianga. Now, then, if you bring these statements under the notice of the Government—before Mr. McLean and Mr. Fox, and before the Superintendent also—it may be that our chief, Moses Tawhai, may be authorized and empowered to send a proper person to remove those spirits to a place out of the district—to take them to the custom house of Hokianga, and there to sell them to the white man. By this means, perhaps, we may feel ourselves duly authorized to send away those intoxicating drinks out of the district.

"Hence it is that we have arrived at the conviction that the Europeans are strong in setting aside the law. We, the Maoris, on our part, frame laws for our own well-being, and to avoid giving cause of offence to the Europeans, so that we may live on peaceable terms with the Europeans under the laws of the Queen, when, what happens? Why, that the Europeans themselves, of Hokianga, are the parties who bring to the settlement of the very article of spirituous liquor, to become an exciting cause or stumbling-block between us and the Europeans. But we shall not allow ourselves to be thus led on. No; we appeal to the law, and we say let the law be the chastiser of these offenders.

"Thus it is that we request you to make known these facts in the presence of the Assembly; and we request, as the lesser evil of the two, that the Maoris may by law be allowed to have licenses as well as Europeans, and since, moreover, that the sober inclinations of the Maori people of Waima are being assailed and undermined by these . . . Europeans who sell intoxicating drinks at Hokianga.

"The real cause which stimulates these . . . Europeans is the desire, on their part, that they shall be the first holders of a public house at Waima, and, through this means, to collect and deprive the Natives of Waima of what few shillings they are able to put together.

"We request you, therefore, to be unceasing in your demands that licenses may now be given to the Maoris, and, when this is done, we shall then see the fulfilment of this 'saying,' namely, 'That

the Maori and the white man are really one people.'

"This is the finish of our address. It is written by us, the chiefs whose names are here underwritten.

"Moses Tawhai, John Moses Tawhai, Raniera Wharerau, Wawe Kaitaru, Wi Raka Arama Pi, Piripi Hehu, Hori Ngamanu, Hare Ngamanu."

In reading that letter to the House he had purposely omitted names; also certain epithets, which were somewhat stringent. For, indeed, the Natives felt very strongly on the matter. It would be seen that the Bill of the Defence Minister very nearly coincided with the propositions made by the chiefs, and he had no doubt that the Bill would give the greatest satisfaction to the Maori people.

Mr. FOX said that he would not detain the House long, but he also had received a Maori letter. A petition had been addressed to himself, or rather to all the chiefs of the Parliament at Wellington, but, as it was informal, he would not present it, but he would read a few extracts from it:—

"Te Peretini, Taupo, 4th May, 1870.

"To Mr. FOX, or rather to all the Chiefs of the Parliament at Wellington,—Friends, salutations to you. Friend Mr. Fox, salutations to you, to the man in whose hands rests the conduct of affairs relating to all the Maoris in this Island. May God preserve you. Friend, a notification has been received from the runanga of all the Islands [or countries] showing that 70,000 people have turned their attention to putting a stop to the sale of intoxicating drinks. Now, friend Mr. Fox, we herein let you know our opinions on the subject of that notification. Our reply to it is this:—We, the Ngatiterangiata tribe, concur in this law which is to put a stop to this evil pest—grog. We now send you our word consenting to that law, but it is for you to lay it before the Parliament of that runanga—that they may know that we, the persons whose names are hereunder written, agree with them.—RAWIRI KAHIA and fifty-four others."

That was accompanied by a letter from a gentleman who was formerly connected with the missionary body, the Rev. Mr. Grace, who wrote in these words:—

"Auckland, 28th July, 1870.

"MY DEAR MR. FOX,—I have just seen a notice that something is likely to be done in order to suppress the sale of spirits among the Natives. The evil is now much greater than ever it was before. I believe I am right when I say that every store on the coast and inland, where I have been, sell spirits; and that the Natives, while they drink, reproach us for taking it amongst them. On my last journey I took with me some circulars in Maori of the alliance for obtaining the Permissive Bill. It was astonishing to see how the Natives took it up. Poihipi immediately got a petition numerously signed, which, owing to a mistake, was not given to me when I left; one from another tribe I beg to enclose. If the Permissive Bill could be obtained by petitions, I believe that, if

it was fairly brought before the Natives, nine-tenths of them would petition for it. I did not forward the enclosed before, as I waited to see if the Auckland alliance had any to accompany it, but seeing a notice this morning in the paper I beg to forward it at once. I have, &c.,—T. S. GRACE."

He thought, therefore, that they should be quite satisfied that the Act, which his honorable colleague had laid on the table, and succeeded in passing so far through the House, really represented a strong feeling among the better class of Natives all through the Island.

The Bill was read a third time, and passed.

OTAGO AND SOUTHLAND UNION BILL.

On the motion of Mr. FOX, the amendments made by the Legislative Council in this Bill were agreed to.

PAYMENT OF COMMON JURORS BILL.

Mr. HALL moved that the amendment made by the Legislative Council in this Bill be disagreed with. He explained that the amendment of the Council reduced the allowance to jurors from eight shillings a day, at which amount it was fixed by the House, to an amount not exceeding five shillings, to be fixed by the Governor in Council.

The amendment of the Council was disagreed to, and Mr. Ludlam, Mr. Richmond, and Mr. Hall were appointed managers to draw up reasons.

NEGLECTED AND CRIMINAL CHILDREN BILL.

On the motion of Mr. MACANDREW, the amendments made by the Legislative Council in this Bill were agreed to.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Escheat Act Amendment Bill was reported without amendment, read a third time, and passed.

The New Zealand Post Office Bill (No. 2), was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

The Sales by Mortgagees Bill was reported without amendment, read a third time, and passed.

The Building and Land Societies Act Amendment Bill. Progress was reported, and leave obtained to sit again on Friday week.

MARINE BILL.

Mr. VOGEL, in moving the second reading of this Bill, said its object was to make certain amendments in the Marine Act, with the view of rendering the system of pilotage less oppressive than at present. Vessels under fifty tons were to be exempted altogether from compulsory pilotage. The Bill had been introduced in consequence of considerable complaints in respect to the system of compulsory pilotage; and he trusted the time was not far distant when they should come to the conclusion that it was a very inexpedient and bar-

barous system to make pilotage compulsory, and to charge people for that which they did not use, in order to make pilotage cheaper to those who might have occasion to use it.

The Bill was read a second time, and ordered to be committed on Friday.

MINING COMPANIES LIMITED LIABILITY BILL.

Mr. GILLIES brought up the report of the managers appointed to prepare reasons for disagreeing with the amendments by the Legislative Council in a certain clause of this Bill, which was read, and agreed to.

The House adjourned at half-past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 18th August, 1870.

Harbour Defence—Sheep Diseases—Schools of Mines and Agriculture—Hawke's Bay and Marlborough Rivers Bill—Aliens Bill—Bills Committed—Messages from the House of Representatives—Wairarapa Town Lands Management Bill—Timaru and Gladstone Board of Works Bill—Sales for Non-payment of Rates Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

HARBOUR DEFENCE.

The Hon. Major RICHMOND, C.B., brought up the report of the Select Committee on the Militia Bill, to whom had been referred the question of the defence of harbours. The report was read, and ordered to lie on the table.

SHEEP DISEASES.

On the motion of the Hon. Dr. RENWICK, it was ordered, That the time for bringing up the report of the Select Committee on Diseased Sheep be extended until Tuesday, the 30th instant.

SCHOOLS OF MINES AND AGRICULTURE.

The Hon. Mr. GRAY, in moving the resolution standing in his name, said he felt that an apology was due from him to the Public Petitions Committee for the course he had taken in this matter. He trusted that they would not think that he had acted in a discourteous manner towards them in endeavouring to push the matter forward. His only reason for so doing must be obvious. The session was rapidly drawing to a close, and, therefore, time was of consequence. He need say little as to the desirability of promoting the branches of education indicated. He would not, on that occasion, go fully into the question, but he might remark that some very valuable evidence had been given by Dr. Hector, on the subject of education generally, before the Committee on Colonial Industries and Manufactures, and he regretted that the report on the evidence was not in print.

Motion made, and question proposed, "That a Select Committee be appointed to inquire into the desirability of agreeing to the prayer of the

petition of the Philosophical Institute of Canterbury; such Committee to consist of the Hon. Mr. Waterhouse, the Hon. Mr. Campbell, the Hon. Mr. Domett, the Hon. Mr. Johnston, the Hon. Mr. Miller, the Hon. Mr. Seymour, and the Hon. Mr. Gray. Report to be brought up on Wednesday:—(*Hon. Mr. Gray.*)

The Hon. Mr. HOLMES said he could not see what practical results would accrue from the adoption of the motion of the honorable gentleman. If it was intended that a school of mines and agriculture should be established in the Middle Island at the cost of the Colony, he would oppose the motion, because he was of opinion that the museum at the head of which Dr. Hector presided, was quite sufficient to meet the wants of the Colony. Again, if it was urged that there was a necessity for establishing such an institution in the Middle Island, he would direct attention to the fact that there was an excellent museum in Otago. He believed, also, that there was a similar institution in Canterbury, but he knew more about the one in Otago, and, therefore, he could speak of it with greater certainty. During the last session of the Provincial Council of Otago, it was agreed that £600 per annum should be set apart for a professor of chemistry and mineralogy. It was intended to establish a school of mines, in order that all those persons who wished to acquire knowledge in that particular branch of education might have an opportunity of obtaining it at the least possible cost, or free of any expense whatever.

The Hon. Mr. GRAY remarked that there was nothing in the petition referring to the establishment of an institution of the kind spoken of in the Middle Island.

The Hon. Mr. HOLMES said that in connection with the establishment of the institution to which he had alluded, no support was asked from the General Government; no assistance whatever was desired. All necessary provision had been made, and the people of Otago intended to carry out the institution in a proper manner and at their own cost. If the people of Canterbury desired to have a similar institution, they should benefit by the example which had been set by others, and depend upon themselves for its establishment. He certainly did not see the necessity of coming to the Council and asking for aid for the furtherance of such an object, whilst it was the duty of those immediately concerned to inaugurate and promote such an institution, if they deemed it necessary to do so. For the reasons which he had stated he was of opinion that if an inquiry were instituted, and money spent, both time and money would be wasted. No tangible results would accrue, and, therefore, he would oppose the motion.

The Hon. Mr. SEWELL said he would ask his honorable friend whether his object would not be sufficiently met by drawing the attention of the Council and the country to the subject of the motion. He desired to point out that there was no probability of any practical end being gained by adopting the course he now proposed to take. He stated so much, not with a view of throwing any impediment in the way of inquiry. Some

information might be elicited, but nothing could be done to compensate for the time which would be occupied. The scope of the honorable gentleman's motion embraced a much wider range than the honorable member contemplated. The question, whether or not they should establish a school of mines and agriculture, connected itself with the whole question of education, and he did not think it would be possible for them to deal with this particular branch of the subject in this isolated manner. Technical education was one great branch of education generally, and he admitted that it did become the duty of the General Government to make proper provision for the furtherance of that general object. He had hoped that a great step towards carrying out the object which the honorable gentleman had in view might soon have been taken. He had hoped that they might have brought into existence, with the sanction of the Legislature, a body, consisting of gentlemen of the highest qualifications, which would undertake the duty of directing the higher branches of education throughout the Colony. When such a body was constituted, this, no doubt, would be one of the objects to which it would direct its attention; in the meantime, he did not think they would occupy their time very profitably by directing their attention to a single branch of the subject. One question for their consideration was, whether education should be under the administration of a department of the General Government, or whether it would be desirable to appoint a body of men of high qualifications, to whom those duties should be intrusted. He had not altogether abandoned the hope that—although action had been taken in another place which seemed likely to frustrate their intentions—the present session would not terminate without some step in that direction being taken. A great misapprehension prevailed on the subject of high class education, and he could not sympathize, in the slightest degree, with those persons who were disposed to disparage and undervalue the efforts to obtain the highest educating power for the service of the Colony. He did not sympathize with those who said it was too soon to make provision for this. That was an argument which stood in the way of all progress. He did not believe that a higher organization would develop itself out of a lower. Experience taught us that the reverse was the case. He was of opinion that, in order to attain excellence, they must get the highest models, and the first practical step which they should take to accomplish that, would be to endeavour to bring into the Colony the highest class of educated persons that could be obtained. That was the first step which they should take to realize the object of his honorable friend, and if that step which, to the credit of Otago, the people there had taken—if, he said, that step were taken by the Colony at large, a course calculated to cause a great deal of good would have been adopted. He trusted that they would have an opportunity of taking a step in that direction during the present session. The honorable gentleman who had moved the motion would not, he feared, gain the object which he

had in view by asking the Council to appoint a Committee. He, however, would not oppose the motion.

The Hon. Mr. MILLER said that whilst he concurred with some of the remarks which had been made by the Hon. the Minister of Justice, he must also say that one part of his speech appeared to be somewhat inconsistent with another part of it. He could not see that the honorable gentleman, holding the views which he did, could object to an expression of opinion being given with reference to this subject at any time. It seemed to him that if it was desirable to attain the object which he said he had in view, namely, to induce the General Government to take some positive action in a matter of this kind, and not to leave it so much to the Provinces as had been hitherto the custom, then the sooner an expression of opinion was given by the Council the better. He did not suppose that, if this Committee were appointed, a report—so far as he understood the opinions expressed—would be brought up in favour of establishing a school of mines. He did not believe it was desirable that any such school should be established. He believed that in London, where there was only one school of mines, there was only an attendance of seventy persons; therefore it seemed that it would be useless to expect to establish a school of mines in New Zealand. No doubt some action might with advantage be taken by the General Government, by promoting lectures on subjects of natural science, in connection with the various schools throughout the Colony. That would be the proper way to promote the study of natural science, and it seemed to him that it was the peculiar province of the General Government to promote those lectures. He was not aware what funds there might be available, but he understood there were some £2,000 or £3,000 a year which might be made available for purposes of this kind. He regretted that the General Government, for what reason he could not tell, were always extremely backward in coming forward in connection with this subject of education. However, the General Government certainly had left what he considered were its duties, to be performed by the Provinces, and the consequence was that the Provinces had stepped forward, and they were aware of what had lately taken place. Some gentlemen might regret from one point of view, and some from another, but all must regret that some united course of action had not been adopted. Provincial jealousies came in the way of matters which they all had at heart, and that was the reason why he would like to see some expression of opinion given on the subject of natural science, which was one of the most important subjects connected with that great question of education which the Legislature had to consider. If ever there was a country where that science ought to be promoted, and where its promotion would be attended with beneficial results, that country was New Zealand. It was a country where there was likely to be a very large number of mines of every kind, and, therefore, the peculiar information which would be obtained at the lectures he had

alluded to would be very valuable. Regarding what scheme should be adopted, he had heard it suggested that, supposing these lectures were given, there should be an endowment to enable the best of the pupils to attend the museum in Wellington during a certain portion of the year, and to obtain some technical education which they could not acquire merely by attending lectures. He thought the honorable gentleman who had moved the motion was quite justified in asking for a Special Committee, as the subject was itself a special one. This might not be the proper time for a debate to take place on the subject; it might more properly be taken when the report was brought up. In the meantime, he had merely mentioned the views which he entertained on the subject, with the object of impressing upon the Government of New Zealand that, in his opinion, it was their duty to do all they could to promote this question at the present time.

The Hon. Captain FRASER said that if it were the duty of the General Government to establish a school of mines, it would be advisable for them to establish it at Westland, Otago, or elsewhere, for, as far as he could see, it would be little use establishing it here at head-quarters. Where was it proposed to establish it?

The Hon. Mr. GRAY remarked that it appeared to be the impression of the honorable gentleman (Captain Fraser) that he wished to establish a school of mines. The purport of the motion was simply to institute an inquiry as to the desirability of doing so. He did not advocate a proposition that it was necessary to establish such an institution.

The Hon. Mr. GISBORNE said he only ascertained, a few minutes ago, what was the exact prayer of the petition, otherwise he would have been prepared to have referred to some papers on the subject. However, he might say that this subject had not escaped the attention of the General Government. Some time prior to the commencement of the present session, they were in communication with Dr. Hector, and others, regarding the advisability of having lectures delivered on mining and other scientific subjects, and also as to the propriety of instructing pupils in such matters. The New Zealand Institute had affiliated branches in every Province, and it was thought that it would be the proper body to carry out the object referred to in the motion. The proposal had been favourably received by the New Zealand Institute. The subject, he believed, was also under the consideration of the Local Industries Committee, but if the honorable gentleman preferred to have a special Committee appointed he should offer no objection. He would obtain a copy of the correspondence which had taken place with the New Zealand Institute, in order that the Council might see the proposals which had been made by the Government in the matter. Of course, what was proposed to be done could only be done, in the first instance, on a small scale, because of the want of room, funds, and so forth, but ultimately a valuable institution might be established; pupils could be taken who would pay something for the instruction they

received, and they, in their turn, could instruct others.

The Hon. Mr. GRAY remarked that he had very little to say in reply, except to answer, as far as he could, one or two objections that had been made. First of all he desired to apologize for having interrupted the honorable gentleman, Mr. Holmes, because, on referring to the petition, he found that, although the Middle Island was not directly mentioned, it was really indicated by the words "this Island." However, he should prefer to see a system of education provided for the whole Colony, and, so far from wishing to create provincial jealousies, he might say that he was indifferent as to where the institution was established. He was sorry to see that anything like a local feeling had been expressed in the petition. No doubt the people of Otago deserved great credit for the way in which they had endowed their educational institutions, and the only objection that could be raised to a general university being established in that Province—although perhaps he ought not refer to it—was that it was not so centrally situated as some other places. If, however, a general university were established in Otago, it would be merely a question of distance and passage money. On the ground of climate he thought Otago was most advantageously situated, and, no doubt, people who resided in the Northern Provinces would find their energies much improved by the bracing air of the South. The Hon. the Minister of Justice had referred to the question of general technical education. He also alluded to it in his opening remarks, and he agreed to a great extent with what the Hon. the Minister of Justice had said. He thought it was a pity that this question should not form part of a general course of instruction at the centre of education, wherever that might be. The only great advantage that would accrue from its being fixed in Wellington would be this: that here there was a laboratory and a staff of analysts, with Dr. Hector at their head, whose services would be at the disposal of the General Government in the event of their taking up a subject of this kind. He had consulted with Dr. Hector, and he concurred in the view which he had expressed. There was no doubt that general technical education might be included under what the honorable gentleman, the Minister of Justice, called high class education. A remarkable book by Herbert Spencer had been lately published, and he cordially recommended honorable members to read it. One section of that work was devoted entirely to the question of what education was of most worth, and proved most conclusively that not only was a technical education of the kind now under discussion likely to be most useful in after life, but that it was of all things best calculated to train the youthful mind. He indorsed what the honorable gentleman (Mr. Miller) had said with reference to the limited number of persons who attended the London School of Mines—he believed about seventy—and it was, therefore, not to be expected that in New Zealand a sufficient number would attend to adequately support such a school as was

proposed. He had nothing more to say, except that he would like to see the object of his resolution carried into effect.

Motion agreed to.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

The Hon. Captain FRASER, in moving the second reading of this Bill, said that although the title was somewhat singular, the Bill itself would be found to be a very simple one. In 1868 an Act was passed called the Hawke's Bay and Marlborough Rivers Act, the object of which was to enable landholders to protect their properties from the action of floods. In some of the districts of the Province of Otago, property had been materially injured by the action of floods, and of course they were desirous of doing all that lay in their power to remedy the evil. It had been found, on referring to the Hawke's Bay and Marlborough Rivers Act, that, by striking out clauses 10, 22, and 23, the Bill would be rendered suitable to their requirements. They had no intention of altering the Act so far as it was applicable to Marlborough and Hawke's Bay. In many places in the Province of Otago the outlets to the sea were few, and in some places they were very narrow. The tussocks had nearly disappeared from the hills, the surface of the earth had been trodden down, and the rains which used to percolate through the soil now rush down unobstructed, and disastrous consequences had ensued. The attention of the Provincial Government had been directed to the establishment of boards of conservators, and they would have to subsidize them to the extent, no doubt, of £30,000, and it was therefore desirable that the Provincial Government should have the power to nominate two out of every five, or three out of any increased number, of conservators.

The Hon. Mr. SEYMOUR remarked that the title of the Bill had become almost a misnomer. The Act was originally brought in on behalf of the Provinces of Hawke's Bay and Marlborough. Subsequently it was provided that any Province which might choose to be brought within its operation could do so, and, in consequence, the title had become a misnomer. There were some provisions in the amended Bill with which he quite agreed. In the framing of the Hawke's Bay and Marlborough Rivers Act, a good share of the work fell upon him, and it was provided that the whole of the members of each board should retire annually from office. He thought, at the time, that that provision would the better enable ratepayers to exercise their powers in appointing members of the board, but he had since found that it was not a desirable provision that the whole of the members of a board should retire at the end of their year of office. The result was this—that a new board was elected which was not sufficiently conversant with the works which had been undertaken by the former board, and yet the members were expected to carry on the business to the satisfaction of the ratepayers. He now considered that it was much better that a certain number of the members of a

board should retire annually, leaving others in office who would be able to carry on the works which had been undertaken prior to the election, and who could also instruct the new members in regard to the routine business. There was a part of the Bill, however, to which he could not agree, and he should certainly endeavour to make some amendments when the Council went into Committee. It was provided in clause 5 that, on certain conditions, the Superintendent should have the power of appointing two out of every five members of a board, or three out of any higher number. That would be giving the provincial element too large a preponderating influence in such small boards. Honorable members would see that if, out of a board of five members, there were two prominent permanent members always kept in office by the will of the Superintendent, they would, in the course of time, constitute a most important element; and he thought it would not be difficult to see that if, as the time passed on, those two members were still retained in office for the purpose of carrying out some particular provincial policy, the provincial influence exercised by them would become paramount. Now, that would be a result which he certainly would not like to see, especially in connection with a matter which they ought to guard so jealously as the right of the ratepayers to have a voice in the expenditure of their own money. If the Province contributed towards any of the branch works, it should have a voice in the expenditure somewhat in proportion to the sums it contributed.

The Hon. Captain FRASER said that it was the intention of the Provincial Government to subsidize largely. He believed they would have to set apart even more than £30,000. He recognized all that had been said by the honorable gentleman; but he also desired to point out that they were, at the present time, merely legislating for the Province of Otago. The people themselves would be satisfied—no complaints would come from them.

The Bill was read a second time and ordered to be committed next sitting day.

ALIENS BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said the object of it was simple. By the present law, when real property was conveyed to aliens in any part of the Queen's dominions, the effect was that the conveyance enured to the use of Her Majesty. No alien could purchase land except under certain conditions; but such a law was unsuitable in a country like this, where the object was to draw population from all parts of the world indiscriminately. We were engaged in an endeavour to bring people into the country, and should not, therefore, be scrupulous as to what country they came from: our object was to induce them to come, and remain when they were here, and, therefore, it was necessary that we should enable them to hold land. The Bill had been copied from a similar Bill which had been adopted by another colony, and had received Imperial sanction.

The Hon. Colonel WHITMORE, C.M.G., said that in reading this Bill he was convinced of the desirability of affording to aliens the inducements to which the Hon. the Minister of Justice had alluded. It did seem a very unfair restriction to place upon persons who might become colonists, that their property should not be dealt with in the same way as if they were British subjects. The example of South Australia, which the honorable member had quoted, disposed of the objections which he was prepared to have raised to the Bill, and if the honorable gentleman would assure him that it would be reserved he should offer no opposition, but otherwise it must be apparent to the honorable gentleman and the Council that they were assuming functions which did not belong to them, and interfering with the prerogative of the Crown. It was clear, from what the honorable gentleman had stated, that the course which he now suggested had been followed in South Australia, and it was not too much to expect that the Bill should be reserved here.

The Hon. Mr. McLEAN said that if he heard from the Hon. the Minister of Justice to the effect that the Bill would be reserved for Her Majesty's assent, as it was evidently a direct infringement upon the Royal prerogative, he should offer no opposition to it, but, in the absence of such an assurance, he should feel bound to vote against it.

The Hon. Mr. GISBORNE said that, with regard to the question of reservation, the Government would, of course, be guided by the opinion of the Attorney-General. There were certain rules and instructions upon the subject, and if the Attorney-General thought that any Bills came within them, the Government was bound to reserve them for Her Majesty's assent; but he did not think that this Bill need be reserved, as other colonies had passed similar Acts which had not been reserved. The necessity for reservation was quite a legal question.

The Hon. Colonel KENNY would ask whether this Bill was to be a substitute for the present system of naturalization, because, if it were so, he should like to know what reasons existed for the change?

The Hon. Mr. GRAY would be glad if the honorable member would give a definition of the words "alien friend."

The Hon. Mr. SEWELL said that there was a difference between an "alien friend" and an "alien enemy." In case of war, the law in respect to aliens was different to what it was in time of peace. As to the reservation of this Bill, he should be sorry that they should take upon themselves to pass a Bill, or take any course which was not constitutional, but it would be straining the point too far to reserve this particular measure, for which they had the example of other colonies. Although it was true, technically, that where lands were conveyed to aliens the conveyance enured to the benefit of the Crown, it would be for the service of the Colony—it was not a personal prerogative of the Crown, but would come under the same class as cases of escheat. A Bill to alter the condition of aliens in the same

direction was before the Imperial Parliament, and had probably passed into law. With respect to the question of his honorable friend Colonel Kenny, there were advantages besides the power of holding land, which would belong to a naturalized subject; but it was of importance to the Colony to allow foreigners to come here and hold lands without the necessity of naturalization.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Unincorporated Boards Suits Bill. Progress was reported, and leave obtained to sit again next sitting day.

The Court of Appeal Act Amendment Bill was reported without amendment, read a third time, and passed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced the following messages from the House of Representatives:—

The New Zealand Post Office Act (No. 2) and the Native Districts Sale of Spirits Bill, which were read a first time, and the second reading fixed for next sitting day.

That the House of Representatives have agreed to the amendments made by the Legislative Council in the Otago and Southland Union Bill and the Neglected and Criminal Children Bill.

That the House of Representatives disagreed to the amendments made by the Legislative Council in the Mining Companies Limited Liability Bill, and transmitted their reasons for so disagreeing. The message was ordered to be considered next sitting day.

The Wellington Gas Company Bill, which was read a first time.

WAIRARAPA TOWN LANDS MANAGEMENT BILL.

The Hon. Mr. JOHNSTON moved the second reading of this Bill, and in doing so would quote the preamble, which sufficiently explained its object:—

“Whereas certain lands in the townships of Greytown and Masterton, more particularly described in Schedules A and B hereunto annexed, have heretofore been vested in one Charles Rooking Carter, in trust for certain persons associated together as the members of the Small Farm Association: And whereas the said Charles Rooking Carter having left the Colony, it is desirable to make provision for the management of the said lands by the appointment of gentlemen named in the Bill as trustees.”

The Hon. Mr. GISBORNE wished to know whether the proposal to allow the Provincial Council to change the trust was agreed to by the persons for whose benefit the trust was held.

The Hon. Mr. JOHNSTON replied in the affirmative.

The Bill was read a second time, considered in Committee, progress was reported, and leave obtained to sit again on Tuesday.

TIMARU AND GLADSTONE BOARD OF WORKS BILL.

The Hon. Mr. GISBORNE was about to raise a point which had not occurred before, namely, whether the Council had power to amend the Governor's amendments in a Bill. They could amend the amendments of the House of Representatives, and it would seem as if the same rule should apply to the amendments made by the Governor. Of course, a conference could not be arranged between the Council and the Governor, but if amendments were made they would go back to His Excellency, who would say whether he agreed to the amended amendment or not. If the Council had either absolutely to accept or reject an amendment, their powers would be inconveniently circumscribed. In this particular case the amendment was trifling, and almost of a clerical nature. In clause 4 the amendment made by the Governor said, “On the first day of December next, and on the first day of December in each succeeding year, if the said first day of December shall not be a Sunday, and then on the following day.” It was clear that the meaning was “if the first day of December *shall* be a Sunday, because, otherwise, if it happened to be a Saturday the meeting would have to be held on a Sunday. If an instance of the kind had ever before occurred, the question would be settled by precedent, but if not, he would ask for the ruling of the Hon. the Speaker. He would move that the word “not” be struck out.

The Hon. Major RICHMOND, C.B., would ask whether the amendment was proposed with the concurrence of the Governor?

The Hon. Mr. GISBORNE had not personally consulted the Governor, but made the proposal under the advice of the Attorney-General.

The Hon. the SPEAKER said that it was his impression that the Council had no power to amend such an amendment. He would suggest that the question should be postponed till next sitting day, when he would be able to give a decision.

Debate adjourned accordingly.

SALES FOR NON-PAYMENT OF RATES BILL.

The Hon. Mr. SEWELL said that an Act was passed in 1862, by which arrears of rates were made chargeable upon, and could be enforced against, the property charged with them. The working of that Act had been found to be defective. This Bill was introduced for the purpose of providing a more efficient machinery for the recovery of rates. There was no substantial change in principle in the Bill now before the Council, from the Act of 1862. The material alteration was, that whereas previously the public board or body, whatever it might be, for whose benefit the arrears were to be collected, might take proceedings against the land by placing a memorial of charge upon the register, the

present Bill would enable the Superintendent of a Province to pay the arrears of rates so charged to the board, and then he could recover the money advanced; the object being to give to the different boards in this way the money recoverable, and to give the Superintendent a remedy against the land.

The Bill was read a second time, and ordered to be committed next sitting day.

The Council adjourned at ten minutes past four o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 18th August, 1870.

Wellington Gas Bill—Public Petitions Committee—Taranaki Waste Lands—Resident Magistrate's Court Fees—Militia Bill—Case of Ann Morris—Duty on Grain—Railway Gauge Bill—Independence of Parliament—Marine Survey of the West Coast—Stamp Duties Act—Weights and Measures Act—Patara Raukauri—Taranaki Volunteers—Savings Banks—Immigration and Public Works Bill—Government Offices Guarantee Bill—Government Annuities Bill—Government Insurance and Annuities Extension Bill—Militia and Volunteer Services—Public Trustee Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

On motion of Mr. BUNNY, this Bill was read a third time, and passed.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petition of Robert Johnson, which was ordered to lie on the table; on the petition of certain residents in Mount Benger district, in the Province of Otago, which was referred to the Gold Fields Committee; on the petitions of James Hill, late of the 59th Regiment, and of certain inhabitants of the southern portion of the Province of Canterbury, which were ordered to lie on the table.

TARANAKI WASTE LANDS.

Mr. KELLY asked the Premier, Whether the Government will cause Crown grants to be issued for all waste lands of the Crown reserved from sale in the Province of Taranaki, for the purposes for which they were respectively reserved, namely, education, railways, public recreation, or local improvements, under the authority of the land regulations of the Province, Acts of the General Assembly, or regulations issued by the Governor in Council? His reason for putting the question to the Government was, that he considered that those lands, in their present position, were in very great jeopardy, because he believed that a great many of them could be dealt with by the Government, and be devoted to other purposes than for which they were reserved. With reference to lands which were not included in confiscated

lands, neither the Superintendent nor the board of education in the Province of Taranaki could deal with them until they were granted by the Crown. Applications had been made to the Government, from time to time, by the Provincial Government, for grants of land reserved for educational purposes; some of the applications had been attended to, but a large quantity yet remained ungranted. With regard to the land reserved for railway purposes, he, with others, waited on the Defence Minister, Major Atkinson, and represented that that was the proper time to make reserves for railway purposes. That was acceded to, and the land was ultimately reserved by the late Government. He believed that a very erroneous impression had gone abroad with regard to the action which the Government had taken in reference to the railway reserve. It had been currently reported that a section of that reserve, which was about half a mile wide, had been appropriated for other purposes, and that the Government would have to buy that land whenever they wished to make a railway through it. There had also been land reserved for recreation purposes in the Patea district; and he was told that one of those reserves was very nearly being sold, and, but for the opposition of the inhabitants of the district, it would have been sold. With respect to the persons in whom the land should be vested, he thought it should be vested in the Superintendent of the Province for the time being; but, perhaps, the railway reserve had better be vested in the Governor. This railway reserve was about thirty-five miles long and half a mile wide, and it ran through a valuable tract of country. This land, in the course of a few years, would be almost of sufficient value of itself to pay for the construction of a cheap railway. He thought that every care should be taken to insure that the land which had been reserved for special objects, should be devoted to the purpose for which it was intended. He believed that there were similar reserves in the Province of Auckland, which required to be dealt with in a similar manner.

Mr. FOX replied that reserves of the class which the honorable member had alluded to had hitherto been dealt with under the Reserves Act of 1864, which provided:—

"It shall be lawful for the Governor of the said Colony, with the advice of his Executive Council, to grant and dispose of any land reclaimed from the sea, and of any land below high-water mark in any harbour, arm, or creek of the sea, or in any navigable river, or on the sea coast, within the said Colony, either to the Superintendent of the Province and his successors, in or to which such land is situate or adjacent, or in such other manner to such other persons and upon such terms as shall be thought fit. Provided always that every such grant or disposition within any Province other than to the Superintendent thereof, shall be made in pursuance of a joint recommendation by the Superintendent of such Province and of the Provincial Council thereof. Provided also that nothing herein contained shall prejudice the rights of persons claiming water

frontages. The term "Governor" throughout this Act shall be held to include the officer administering the government of this Colony for the time being.

So that there was no doubt that the Government had power to do what the honorable member had suggested, but it had not been usual to do that by any general, sweeping Act. The course usually adopted was that the Provincial Governments should make application to the General Government for the transfer of any particular reserve they wished to have transferred to them. In the case of Marlborough, although the Government refused to make a sweeping grant of the reserves, they granted what was specially applied for. There was a provision in the Act authorizing the sale or lease of these reserves, subject to the approval of the Government. There was full security that the reserves, when handed over by the Government, should not be alienated without due consideration; but the House was well aware—under particular pressure, made with some remote object—how easy it was for an agitation to be got up in the Provincial Councils, and how, under these circumstances, the land might be sacrificed without any commensurate benefit to the public. The Government had exercised great circumspection in handing over reserves; and at present they pursued the practice which had hitherto been adopted, of making grants only in such cases as were asked for in detail. The Government would consider each case on its merits. There might be some cases in which there would be no impropriety in handing the reserves over at once, and others in which it might be necessary to retain a firm hold of the land. In the case of the railway reserves, he thought it would be wrong for the General Government to hand over those reserves to the provincial authorities, when they were about to construct a railway there. With regard to the reserve at Patea, which, as the honorable member said, was half a mile wide, he trusted that they should see that utilized before long. Just before the war on the West Coast broke out, the Government did advertise for tenders for leasing that reserve. A very large number of tenders were sent in—competing tenders, in some cases—and they went so far that in some instances the tenders were accepted; but on the war breaking out they were abandoned, and the leases were cancelled by the Government, and the lands were given up. But now the war was over, some of the parties had applied to have leases granted to them on the conditions of the previous year; but the Government thought it was better not to tie up the railway reserves by any such leases. They thought it was better to keep everything in their own hands. They had done nothing since, nor did they see their way, at the present moment, to do anything in that direction. It was a most valuable piece of land, being half a mile wide, and several miles long. He found it necessary, last year, to plant some military settlers and a block-house in that district, and to give a holding of about ten acres around the block-house.

Mr. ORMOND.—With the right of purchase?

Mr. FOX.—Yes, with the right of purchase on valuation.

Mr. ORMOND.—Then those leases fall back into the hands of the Government?

Mr. FOX.—No; but it only involves a very few acres, which can be repurchased when wanted for railway. As regarded that particular block, he found it necessary to establish military villages, and the only place in which they could do so was on that railway reserve. But whatever the rights of these parties might be, if the Government found it necessary to make a railway through their ground, it could be done by an Act of the Legislature on valuation. That was the only infringement he was aware of that had been made in that railway reserve. If the honorable member wished to pursue the matter further, he trusted he would do so officially by putting the Government of Taranaki in motion, and giving the General Government an opportunity of dealing with each particular case in the same manner as heretofore.

Mr. KELLY did not wish that the reserves should be specially vested in the Superintendent. He wished that they should be vested in some body, so that they could not be subsequently dealt with except by Act or Ordinance. As they stood at present, they were simply waste lands of the Crown reserved from sale, and could be dealt with by the Government for any other purpose than that for which they were originally intended.

RESIDENT MAGISTRATE'S COURT FEES.

Mr. EYES asked the Premier, Whether resident magistrates have the power to allow fees to counsel in debt cases not exceeding £20 in amount? He had been induced to put the question on the paper in consequence of his attention having been drawn to several cases of hardship in a Resident Magistrate's Court at Marlborough, where the expenses incurred in small cases had amounted to very nearly the amount of the debt sued for. He thought many honorable members must be aware that, where costs are allowed to counsel in a very many cases where small amounts are sued for, they fall very heavily upon the debtors.

Mr. FOX said if the honorable member had taken the trouble to read the Resident Magistrates Act he would have seen the answer to his question. Section 54 of that Act prescribed,—

"Costs of professional assistance may be allowed by the Court in addition to costs actually paid out of pocket, as follows:—When the amount claimed does not exceed twenty pounds a fee not exceeding one guinea, and when the amount claimed is more than twenty pounds such costs shall not exceed three guineas, in each case at the discretion of the Court."

Mr. EYES was aware of that clause, but he had been informed by a legal member of the House that instructions had in some instances been given by the Government to resident magistrates to disallow those costs, and he believed that in some Provinces the practice of charging those costs had been discontinued in

consequence of instructions forwarded from the Attorney-General's office.

Mr. FOX very much doubted whether that was the case, because he had been referred to the clause which he had read by the chief clerk in the Attorney-General's office, and if such correspondence had taken place, it could not have been from that office, or that gentleman would have alluded to it.

MILITIA BILL.

Colonel HAULTAIN brought up the report of the Committee on the Militia Bill, which was read.

CASE OF ANN MORRIS.

Mr. McINDOE, in moving the motion standing in his name, said petitioner had suffered a very grievous wrong, at whose hands he would not say, but it was a fact which was well known to all residents in the district in which the petitioner resided. The motion which he was about to move was simply carrying out the view of the matter indicated by the Petition's Committee, as they recommended the case of the petitioner to the kind consideration of the Otago Provincial Council. He thought the most effective and the simplest method of getting the case brought before the Provincial Council of Otago was by the appointment of a Commission. As the Public Petitions Committee who had considered the matter were agreeable to the course he suggested, he trusted the House would consent to his motion.

Motion made, and question proposed, "That, referring to the report of the Select Committee on Public Petitions *in re* the petition of Ann Morris, the House resolves that the Government be recommended to appoint a Local Commission, during the recess, to examine into and report on the case of the petitioner."—(Mr. McIndoe.)

Mr. FOX was not familiar with the particulars of the case, but it did not appear to him that the honorable member's motion was exactly in conformity with the recommendation of the Petitions Committee, which was, that the matter should be left to the tender sympathies of the Provincial Government, and not that the General Government should institute an inquiry by means of a Commission. The only objection he had to instituting a Commission of Inquiry in cases of that kind, was the very considerable expense attending them. There was one case before the House which had been brought on session after session; the parties were not satisfied, and a Commission was granted, which, after having made journeys of several hundred miles, reported that the case had been rightly decided a great many years ago, so that the matter was left exactly as it was before, except the cost to the public. In cases like the present, he was always anxious that the public should be satisfied that the Government had done everything it possibly could, and he was anxious that the honorable member should have what he asked for, but it must be on the understanding that the cost would be a provincial charge.

Mr. MACANDREW suggested that the honorable member should make it an unpaid Commis-

sion, as they could no doubt get impartial gentlemen on the spot to institute the inquiry without any remuneration. He might say that the complaint in the petition was against an officer of the General Government, and therefore it was a matter with which the Provincial Government had nothing to do. He believed the course proposed by the honorable member was the most satisfactory way of dealing with the case, as it had been before the House for two or three sessions, and would continue to be brought forward unless it was really gone into on its merits by those who had the means and opportunities of adducing all the evidence connected with it. He did not think that the expense of the Commission need frighten the honorable member at the head of the Government, as they could make it an unpaid one.

Mr. McINDOE would be very glad to insert the word "unpaid" in his motion. He was perfectly sure that there were many gentlemen in Dunedin who would take the matter in hand, and bring it to a more speedy and satisfactory conclusion than could otherwise be done. He asked leave to amend his motion by inserting the word "unpaid" before the word "local."

Leave granted, and the motion as amended agreed to.

DUTY ON GRAIN.

Mr. MAIN, in the absence of Mr. RICH, moved, That the petition from the settlers of the Waikouaiti and Shag Valley district, praying that this House will authorize the levying of a moderate duty on grain and other articles of import, be printed.

Mr. GILLIES did not see why the petition should be printed any more than any other petition which came before the House. It was of no particular interest, as it contained a simple expression of opinion on the part of a certain class of the community, and to print it would be putting the country to an expense utterly unnecessary.

Mr. McINDOE was of the same opinion as the honorable member for Mongonui. He did not think that the country should be put to the expense of printing that petition any more than any other which came before the House.

Mr. FITZHERBERT did not think the expense would be very great. Besides, he thought it was a very reasonable kind of expenditure to print such petitions, as it was of importance that that House should know what the outside opinions were upon such questions as the subject matter of the petition.

Mr. MAIN said it was a very significant fact that those who objected to the printing of the petition were anti-protectionists. The petition was a remarkably well worded one, and a reasoning petition, and he had no doubt that it would have some effect upon the opinions of honorable members.

Motion put and negatived.

RAILWAY GAUGE BILL.

Mr. RICHMOND, in asking leave to introduce

this Bill, said it was founded upon the report of the Railway Gauge Committee. It was exceedingly simple, and contained only two clauses. He might state that it proposed to establish a 3ft. 6in. gauge for future public railways in the Colony.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

INDEPENDENCE OF PARLIAMENT.

Mr. CRACROFT WILSON, C.B., said that after he had put his notice on the order paper, for leave to introduce a Bill for better securing the freedom and independence of Parliament, the Premier obtained leave to introduce a similar Bill, without notice, and he had handed his Bill over to the Premier. He perceived that some alterations had been made in the Bill as introduced by the Premier, and when the second reading came on, he would submit to the House a fresh clause which he had drawn up to add to the Bill, and some lines which had been excluded by the Premier from the Bill which he intended to bring in. He would therefore ask leave to withdraw his motion.

Motion withdrawn.

MARINE SURVEY OF THE WEST COAST.

Mr. KYNERSLEY, in moving the motion standing in his name, said that, before he took his seat in the House, a question was asked by the honorable member for Westland Boroughs, whether it was the intention of the Government to complete the marine survey of the West Coast of the Middle Island. The Postmaster-General replied to that question, that it was not the intention of the Government to carry out the marine survey any further than they had done already. The honorable member also stated he considered that, for all practical purposes, the surveys that had been already made were sufficient, and, unless the House otherwise directed, they would not be further proceeded with. He hoped that he would show the House sufficient reasons why they should be proceeded with, and that the survey of the West Coast of the Middle Island was one of the most necessary and desirable works that could be undertaken. The answer of the Postmaster-General to which he had referred was by no means satisfactory to the people of the West Coast, or to nautical men acquainted with the subject. He was open to correction, but he understood that Lieutenant Woods was appointed to take charge of the marine survey department, for the special purpose of completing the survey of the West Coast, and that that appointment was made in consequence of the complaints of masters of all the large steamers that traded to the West Coast. Lieutenant Woods went to the West Coast, and found that the Admiralty charts were very incorrect. He discovered errors in some places which involved a difference of about nine miles. After he had surveyed about half the coast, he was sent up to the Province of Auckland to make some surveys that were required in that part of the Colony. The present state of the work, he understood, was this:

Lieutenant Woods had completed the trigonometrical and geographical survey from Cascade Point to the mouth of the Grey River, but he had taken no soundings of that part, and the remaining part, from the mouth of the Grey River to Cape Farewell, was not surveyed at all, except that Lieutenant Woods had taken one or two observations along the northern part of the coast, and had found that that part of the coast in the Admiralty charts was considerably out in bearings alone. Amongst other reasons why the survey should be completed was the reason of the additional insurance that was charged on vessels navigating in unsurveyed waters. He happened to know, in the case of the first vessel direct from Australia to Charleston, the charterer had the greatest difficulty in getting the vessel insured at all in Melbourne. The insurance companies could not find on the Admiralty charts that there was any such place as Charleston, or that there was any harbour on that part of the coast where Charleston was situated. The port of Charleston was certainly not very good or very extensive, but still a large number of coasters had safely discharged their cargoes there. If the survey of the coast were left in its present incomplete state, the £3,000 that had already been expended upon it would be entirely thrown away. The hydrographic office at the Admiralty would not accept work in an incomplete state; and, in the work which had been already done, from the Cascade Point to the mouth of the Grey River, only the coast line had been laid down and no soundings had been taken, and unless soundings were taken along that line it was impossible to utilize the work. He had spoken to the navigating officers of the vessels now in harbour, to whom Lieutenant Woods' work was submitted, being anxious to ascertain from them whether they considered him a competent surveyor, and they informed him (Mr. Kynersley) that Lieutenant Woods' work and calculations were admirably correct, that he had adopted all the latest and most scientific improvements in marine survey, and carried out his work admirably in every respect. The reasons given by the Postmaster-General for not proceeding with the work were contained in two memoranda, one from Captain Johnson, whom, he believed, had temporary charge of the marine department, and one from Mr. Seed. Captain Johnson stated,—

"With reference to our conversation this morning, on the West Coast survey, I have since seen Captain Doile, of the steamer "Storm Bird," and Captain Daniells, of the steamer "Wallabi;" both these gentlemen have had considerable experience on that coast, and both say that they consider the Admiralty charts of the West Coast are practically correct. The same thing has been told me by Captain Whitwell, of the "Kennedy," and other experienced masters on that coast. What I understand from all to whom I have spoken on the subject is, that the surveys are correct so far as can be seen in running along the coast, and are sufficiently correct to shape a course and measuring the distances from place to place. Of course, masters running along the coast do not mean to say that

they could detect small inaccuracies close in shore, or that there are not even small bays where it appears on the chart a straight coast."

Mr. Seed gives as one of his reasons that,—

"When the marine surveyor leaves Wellington he is practically master of his own movements, and it is scarcely possible to say at any time what he is doing or what he has done in the matter of surveys."

He might say that the opinions of masters of those small steamers he did not consider to be of much value upon the subject. They were all masters of vessels drawing only from six to eight feet of water, and the survey of the shores was sufficiently accurate for them; but that was no reason why it should be sufficiently accurate for strangers. The masters of large vessels have frequently complained of the Admiralty charts. In opposition to the opinions of those masters of small coasters were the opinions of the late Mr. Balfour and other gentlemen fully competent to judge. In Mr. Balfour's report of the marine department, 1868, he stated as follows:—

"A certain sum having been authorized to be expended on marine surveys, principally on the West Coast, G. A. Woods, Esq., was intrusted with the preparation of the 'St. Kilda' for that purpose, and was afterwards appointed chief marine surveyor. The greatest possible economy has been observed from first to last; indeed, I believe it would have been in the end more economical had a somewhat larger sum been expended on the purchase of instruments of the best description at first. . . . I also forward herewith a small sketch chart of Port Curtis, being the bay formed by Point Elizabeth, a few miles to the north of Greymouth. Mr. Woods was instructed to procure a few soundings in the bay on the first available opportunity, and this sketch is the result. The soundings show that there is an area of probably not less than a quarter of a square mile already partially sheltered, and with a depth at low water of two fathoms and upwards. Seeing that there is an ample supply of hard limestone on the spot, very fairly adapted for the construction of a breakwater, and that this bay is of perfectly easy access from the Grey coal fields, its future importance as a harbour will be sufficiently obvious; indeed, it is the only place on the West Coast which I am acquainted with where there are both natural facilities and abundant materials for constructing a barless commercial harbour of very considerable dimensions, in direct and easy communication with very valuable coal fields. I hope, during the present year, to procure a careful survey of Port Curtis on a large scale. On the whole, and making due allowance for the tempestuous character of last season, a fair amount of work has been done in a satisfactory manner, and the cost, though greater than estimated, is much less than it would have been if the surveys had been made by a staff of Admiralty surveyors. A very considerable portion of the outlay, moreover, has been on instruments and fittings of a permanent nature, so that additional work will be executed more economically. I beg to recommend that authority be granted to

complete the general survey of the West Coast, and to make detailed surveys of such portions as, like Jackson's Bay and Port Curtis, will probably become of importance as the future harbours of a rising district."

That recommendation had never been carried out. In 1869 Mr. Balfour reported as follows:—

"The favourable report of Commodore Lambert, as to the quality of the marine surveyors' work, can only be looked upon as highly satisfactory, and I am glad to bear witness to their energy and zeal."

There were two or three other reports to the same effect. Commodore Lambert wrote a letter, dated the 22nd February, 1869, as follows:—

"H.M.S. 'Challenger,'

"At Wellington, 22nd February, 1869.

"SIR,—With reference to your Excellency's letter of the 11th instant, and my reply thereto, I have the honor to acquaint you that I have seen Mr. Woods, examined his surveys and plans of the New Zealand coasts, and compared the same with the Admiralty charts. The survey is projected on reliable data, and appears to have been executed with great care and accuracy, and the sketches of the different headlands in water colours render them more distinguishable than in the pen and ink etchings usually marked on the charts. The positions of several prominent headlands, hitherto incorrect, have been determined, and the delineation of the coast corrected by Mr. Woods, who has likewise collected much valuable hydrographical information respecting the same. I would recommend the completion of the West Coast surveys, and also that the South Coast of the Middle Island, from Cape Saunders to Cascade Bay, and parts of East Coast of the North Island, hereafter mentioned, be re-surveyed:—'D'Houssiez Group, just northward of Mercury Bay, the islands and rocks in and adjacent to the Hauraki Gulf, and additional soundings procured in the Bay of Plenty. I have, &c.,—ROWLEY LAMBERT, Commodore and Senior Officer.

"I shall have much pleasure in forwarding Mr. Woods' work to the hydrographer, with a recommendation that the corrections and alterations be adopted in the next chart published of New Zealand.—R. L."

He would not detain the House by any further remarks. He had shown that on one side they had the opinions of Mr. Seed, Mr. Johnson, and the masters of some small coasting steamers, while on the other side they had complaints from the masters of large steamers trading from Melbourne, the opinions of Commodore Lambert and the navigating officers of Her Majesty's ships, and the reports of the late Mr. Balfour, to the effect that the charts were exceedingly incorrect, and that the survey ought to be completed as soon as possible. He therefore begged to move the motion standing in his name.

Motion made, and question proposed, "That, in the opinion of this House, it is desirable that the marine survey of the West Coast of the Middle Island be completed."—(Mr. Kynnersley.)

Mr. VOGEL thought that a resolution of this kind should have been proposed in Com-

mittee of Supply or Committee of the whole. The resolution, small as it appeared, would, if carried, involve a considerable expense to the Colony. The Government, last year, were very favourably impressed with the idea of continuing the coast survey, but he believed now that they were then under a mistake with regard to the intentions of their predecessors. He thought their predecessors were inclined to doubt that the Colony could afford this survey; but however that might have been, the Government took the subject up, believing the work could be done, but the information and experience they had since gained, led them to strongly recommend to the House that it was out of the question to continue the marine survey department. He believed that New Zealand might be said to be remarkably well surveyed—better, in fact, than many countries with a much older history. When vessels approached an iron-bound coast they did not steer by map—they steered by land. As to the last townships not being placed upon the Admiralty maps, it was not to be expected that small towns could get upon maps in the course of a few weeks after their first settlement.

Mr. KYNNEERSLEY said he meant harbours, not towns.

Mr. VOGEL took it for granted that the honorable member alluded to small harbours with new towns established on them. The river upon which Charleston was built was upon the Admiralty maps. It was found that the expense incurred in connection with the marine survey was very large indeed. The Government were informed that, for all practical purposes, the surveys which had been made on the West Coast were sufficient for all the requirements of New Zealand for many years. On the whole, this country was fortunate in having such accurate surveys. As he had said before, it was not so much a question of maps,—on such a coast vessels generally steered by the land. He hoped the House would not assent to the motion, and so put the country to a large annual cost. The Admiralty would not bear part of the cost. It had been graciously pleased to signify to the Government that if they incurred the cost of a survey, it would not refuse to take advantage of the information afforded, but he thought that they were not in a position to afford that information to the Admiralty. It was enough to know that the shipping requirements of the coast were provided for so far as the survey was concerned, and when the Government found that the expenses of the survey were so heavy, they considered it might be safely dispensed with. Those now employed in connection with the department were executing maps on surveys already made.

Mr. COLLINS was astonished to hear the Colonial Treasurer decline to give so small a sum as that asked for by the honorable member for Westland North for so important and necessary a work. He thought that as this House had determined to expend millions upon objects of, at most, problematical advantage, it would be a great disgrace to the country if they refused to expend the comparatively small sum now asked for upon

an object which, to a large extent, affected life and property. It was quite a mistake for the Colonial Treasurer to say that the only object of the survey was to supply information to the Admiralty. The object of the honorable member who moved the resolution was a much higher one,—it was with a view to the protection of life and property. He would certainly support the motion of the honorable member, as he regarded it as one of a most important character.

Mr. BARFF wished to draw the attention of the House to the fact that when Lieutenant Woods was engaged in the marine survey, he borrowed a life-boat from the authorities at Hokitika for the purposes of the survey, and he had forgotten to return it. The boat had been built at Sydney at a cost of £120. When he (Mr. Barff) arrived in Wellington, he found the boat moored alongside the wharf, after having sustained damage to the extent of £30 or £40. He had communicated with the authorities at Hokitika, and he understood steps would be taken to return the boat to the owners. The Defence Minister, he understood, had very liberally offered to give away the boat to the “Luna.”

Mr. McLEAN begged to assure the honorable member that he had never made any offer of the kind. He had heard that there were two boats belonging to the “St. Kilda” and it was proposed to send one of them to Auckland. He never had any desire to deprive the honorable member or his constituents of their life-boat.

Mr. HALL said that if Lieutenant Woods had forgotten to leave the life-boat, he had not forgotten to leave another and an exceedingly fine boat in its place. He was told the life-boat was not suited for Hokitika. He did not, at least, think that it had been much used while in the possession of the authorities at Hokitika. He was sorry to hear from the Colonial Treasurer that he was opposed to the completion of the marine survey. He understood that he was under the impression that it was the intention of the late Government not to complete the survey. If so, he laboured under a misapprehension. It was the intention of the late Government that Lieutenant Woods should complete the survey, but when they left office his services were more urgently needed in the North, and he was taken off the West Coast. It had always been the intention of the late Ministry to complete the survey, more particularly of Port Elizabeth. It had been partially surveyed, and Mr. Balfour was anxious that the survey should be completed, as, if it were found that it could be made a safe port, it would be of great advantage to that part of the coast. If honorable members looked at the report and maps attached to the last report of the marine department, they would see the importance of the work. The result of the Admiralty survey was printed in black, and that of Lieutenant Woods in red, and the latter showed that, on the Admiralty chart, several of the bays and heads were completely out of position. For instance: Abut Head, an important landmark, was no less than six miles out of position. The matter had been discussed in the House two or three

years previously, when the then member for Parnell, who knew a good deal about the subject, was in the House, and he bore out what was then said by the Government. The Admiralty survey of the West Coast was, properly speaking, not a survey at all, it was merely a running survey. The ships, as they ran along the coast, made a running sketch and nothing more. They did not make such a proper and complete survey as we ought to possess. There was hardly any portion of that part of the coast correctly entered in the maps, and it was impossible to conceive that the Admiralty would desire to leave it in that position. The reason why the survey of the West Coast was not more satisfactory was because when it was made there was no reason to anticipate settlement on the West Coast at so early a period. The attention of the Admiralty surveyors, very naturally, had been directed to those portions of the coast where it was most likely settlement would take place. From the appearance of the country, they had no idea that the West Coast would have been settled, nor would it have been but for the discovery of gold. It was, therefore, no reflection upon the Admiralty surveyors if they did not make a more complete survey. He agreed with the last speaker, that while they were about expending large sums of money upon a variety of purposes, they should not neglect one which really concerned the protection of life and property. The vessels which frequented that part of the coast had a right to expect that there would be a proper survey made. The cost would be comparatively small. He hoped that the Government would reconsider the conclusion at which the Colonial Treasurer had arrived upon evidently very slender ground. If the honorable member for Westland North divided the House on the question, he would certainly vote with him.

Mr. GILLIES could not agree with some of the remarks made. It seemed to him that any further marine survey would be only incurring an unnecessary expense. From the large amount of information that he had obtained relative to the marine survey of New Zealand, he cordially indorsed the statement of the Colonial Treasurer that, for all practical purposes, the surveys were correct. That would be seen by any gentleman who took the trouble to refer to the map. A vessel did not usually run within six miles of the shore before she looked out for the land. There were a few cases in which there were errors, but they were trifling indeed. He did not wish to depreciate the accuracy of Lieutenant Woods' survey. He had seen something of what he had done in the North, and he gave him credit for making his surveys in a painstaking and complete manner, which justly entitled him to the commendation passed upon him by the officers of the ships in the harbour, but he did not think that that extreme accuracy was at all necessary for practical purposes, or for the safety of life and property. The present surveys were quite sufficient for that purpose. The time might come when the country would require a more accurate survey, but at present there was no necessity for it. In the

North, Lieutenant Woods made some excellent surveys, showing some points of the land to be a little out of, and others a little within, the position indicated previously, but they were of no practical value to the coasting trade. It was only vessels from abroad which worked by the charts. Masters of coasting vessels worked by their local knowledge.

An Hon. MEMBER.—What would they do in a fog?

Mr. GILLIES thought that in a fog they would not go too near the land. He did not think that they were in a position to expend a large sum of money in completing the work at present. He thought it would be much more advisable to spend money upon their internal surveys, which were most defective. He had been informed by Mr. Heale, inspector of surveys, that he had found the width of the Island several miles in error in one place. He would cordially support this motion if it were really for the protection of life and property, but he did not believe that such was the case, and that any further survey would only be of value for scientific purposes.

Mr. FOX said it had not been pointed out that there had been any loss of ships on the coast referred to in the honorable member's motion. If it could be shown that the vessels from Melbourne were in danger, or that there had been any actual loss, then the Government might be induced to take steps with a view of completing the survey. He had neither heard nor read—though he did not read many West Coast papers—of any shipwreck occurring that would call for action on the part of the Government. He had not heard of a single casualty that could be attributable to any deficiency in the survey of the West Coast. Any errors pointed out by the honorable member for Heathcote were of an insignificant character, and did not, as a rule, affect vessels. The honorable member was not quite correct in saying that the Admiralty had only made a running survey of the coast. The first vessel that went out was under the command of Commodore, afterwards Admiral Stokes, who was a first-class nautical surveyor. He did not make a very close survey of that coast, though he made a very fair examination of it. In consequence of the work being more or less incomplete, he was followed by Commodore Drury, in the "Pandora," and he finished up the work which Admiral Stokes had left uncompleted for lack of time. Some slight errors may still exist, but, on the whole, the present survey of the coast was sufficient for all practical purposes. He had not heard any complaint from nautical men or merchants as to the danger of the approaches on the West Coast of New Zealand. Even supposing that there had been some complaints as to the rate of insurance paid in Melbourne upon vessels coming down here, the difference upon the existing rate and that which might be charged in the event of Lieutenant Woods completing the survey would be scarcely appreciable. He thought the honorable member who had brought forward the motion would not venture to say that, if the survey of the West Coast were completed, it would

make any material difference in the rate of insurance. At the time the coast was almost unknown, and the names of the towns quite unknown, a difference in the insurance might be created; but he did not think any appreciable difference in the rate of insurance would be the result of now completing the survey of the West Coast. The argument used by the honorable member for Heathcote and the honorable member for Collingwood did not tend to make him favourable to the motion, but had quite the contrary effect. It was an argument he had heard frequently used of late, and which contained a patent fallacy—that, because they were going to spend ten millions of money, they should not refuse to spend a little more. It reminded him of the American who became bankrupt, owing 500,000 dollars, and how he accounted for it. It was the fifty dollar sofa he had bought his wife, who insisted on having a handsome bedstead to match, then a complete suite of French furniture and a stylish carriage, and finally a palace in Fifth Avenue. Because the Government was going to enter upon a large expenditure on public works, that was the very reason for economy in other matters, and ought not to be urged as an excuse for every piece of extravagance which any individual member might suggest.

Mr. STAFFORD agreed with the honorable gentleman opposite, that because they were going to spend ten millions of money it was no argument for spending anything more, but there would always be a difference of opinion as to what were the most urgent works on which the money should be spent. He thought considerable claims might be made from time to time for marine surveys at different places. It must be borne in mind that, during the last few years, the traffic along the West Coast had been very large indeed. Steamers were constantly coming from Melbourne and from Nelson on the one side and Dunedin on the other side to ports on the West Coast. It was true that the accidents which had occurred had not been such as would be remedied by a coast survey, but were accidents resulting from the bars in the harbours, which smaller vessels were compelled to take. He thought it would be very desirable to expend some hundreds of pounds in the survey of a portion of that coast; for instance, in the survey of Port Elizabeth. The late Superintendent of Nelson had shown him a map of that port, and pointed out the necessity for having it surveyed, and that gentleman was under the impression that a moderate expenditure in raising and increasing the height of the natural breakwater formed by some rocks might make it a very safe harbour indeed for moderate sized vessels. He had been informed by the present Superintendent, the honorable member for Nelson City (Mr. Curtis), that it commanded the whole of the Grey Valley and the celebrated Grey coal mines. He thought sufficient exploration should be made before it was determined that no effort should be made to render that a safe port. If it did nothing else but

open up the Grey coal mines it would be a reproductive expenditure of the public money. To that extent he should be prepared to support the motion of the honorable member for Westland North. He did not quite agree with the Colonial Treasurer that those surveys were becoming very large; they were not extensive in past years. It would always be in the power of the House, and the Government, to determine the amount to be expended from year to year on such surveys. He did not think they were bound to complete the surveys of the coast of New Zealand, but, at the same time, they should not definitely decide that they should not, in any case, make a survey. Cases might be made out, from time to time, where it would be a very profitable and proper expenditure of money. He trusted the Government would, to the extent indicated, at all events, accede to the motion—to carry out the survey of Port Elizabeth, so as to render it a safe and valuable harbour.

Mr. KYNERSLEY, in reply, stated that the arguments which had been used went to show that there was no use in any surveys at all. They had been told that the charts were practically correct, when they were actually more than nine miles out. It was not alone the Abut Head which was incorrectly laid down, but every headland along the coast was incorrectly laid down on the Admiralty chart. When they were going to a large expenditure for the erection of lighthouses, surely it was somewhat inconsistent that they should longer allow the prominent headlands on the West Coast to be miles out on the chart. He would not comment on the singular nautical remark made by the Postmaster-General, that vessels did not steer by the chart but steered by the land. Without the chart they did not know where the land was. That was not the opinion of the navigating officers of the fleet, or the masters of large vessels. He admitted that there had been no wrecks on the West Coast, but that was chiefly because masters of large steamers, knowing that the charts were so inaccurate, kept a very long way out from the coast, and were afraid to approach it, which made the time in rounding the headlands unnecessarily long. The honorable member for Mongonui had told them that he would rather see the money expended on internal survey. It was no use expending money on internal survey when the whole coast line was considerably out in its bearings; and he might also say that in Westland much valuable survey work had been done by the co-operation of the marine and land surveyors. The Postmaster-General had told them that the country could not afford to complete the survey of the West Coast, but it was in the interest of economy that he (Mr. Kynnersley) had made the motion. The survey had been half completed at an expenditure of £3,000, and a like sum would complete it. It would not "entail a heavy annual expenditure," as the Postmaster-General had stated. A thoroughly efficient staff was ready to complete the work, and it would be very false economy to discharge that survey staff. He did not feel disposed to do as

the Premier had suggested—to wait until there was a wreck on the coast. The question was whether they should have the work completed now, when they had an efficient staff ready to do it, or wait until wrecks occurred, entailing loss of life and property.

Mr. FOX.—My argument was that no wrecks had occurred, as the coast was well known.

Mr. VOGEL wished to observe, with reference to the remarks of the honorable member for Timaru, as to Port Elizabeth, that the Government did not mean to say that where there appeared to be any great necessity for making a survey they should be precluded from doing so. They desired that the department should be done away with.

Question put, "That the motion be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	19
Noes	...	...	...	29

Majority against 10

AYES.

Mr. Armstrong,	Mr. Jollie,
Mr. Baigent,	Mr. Richmond,
Mr. Barff,	Mr. Stevens,
Mr. Bradshaw,	Mr. Swan,
Mr. Curtis,	Mr. Webster,
Mr. Edwards,	Mr. Wells,
Mr. Hall,	Mr. J. C. Wilson, C.B.
Mr. H. S. Harrison,	<i>Tellers.</i>
Mr. W. H. Harrison,	Mr. Collins,
Colonel Haultain,	Mr. Kynnersley.

NOES.

Mr. Birch,	Mr. Mervyn,
Mr. Brown,	Mr. Mete Kingi,
Mr. Carrington,	Mr. Munro,
Mr. Clark,	Mr. O'Neill,
Mr. Creighton,	Mr. Ormond,
Mr. Dignan,	Mr. Parker,
Mr. Driver,	Mr. Peacock,
Mr. Fox,	Mr. Russell,
Mr. Kelly,	Mr. Tareha,
Mr. Kerr,	Mr. Taylor,
Mr. Macandrew,	Mr. Williamson,
Mr. Macfarlane,	Mr. W. Wood.
Mr. McGillivray,	<i>Tellers.</i>
Mr. McIndoe,	Mr. Gillies,
Mr. McLean,	Mr. Vogel.

The motion was consequently negatived.

STAMP DUTIES ACT.

Mr. KYNERSLEY, in moving the motion standing in his name, might say that he had just heard that it was the intention of the Government to bring in a Bill on the subject, so that he would not detain the House with any lengthened remarks. The present state of the Stamp Duties Act was so complicated and technical, that ordinary men, without taking legal advice on the matter, could not avail themselves of it. On the West Coast the miners could not always get the impressed paper, and they were continually making agreements with regard to the transfer of mining property. They had either no stamps at

all, or used the wrong stamps, and when disputes about those matters came before the wardens or resident magistrates, the Court was placed in the unfortunate position of being either obliged to admit an illegal document or do an injustice. That was a most unsatisfactory state of affairs. With regard to mining property, the *ad valorem* system of duties was, in many cases, quite impracticable. In regard to the transfer of mining property, the stamp used was according to the value of the property transferred. The transfer of a share or half-share was often made on condition that the other party would supply provisions until gold was found, and as it was impossible to know the value of the claim, they did not know what the proper stamp would amount to. In some cases of agreements as to the transfer of a part of a claim, and the supply of water, which were to exist but for a few days, the miners were obliged to put on the 10s. stamp required for documents not otherwise specified in the schedule of the Act.

Mr. GILLIES, in seconding the motion, could cordially support the remarks made by the honorable member for Westland North in regard to the extreme inconvenience, not merely with regard to the mining community, but in regard to the community generally, especially those who were not living in the centres of population, arising from the unsatisfactory state of things existing under the present Stamp Duties Act. He was very glad to hear that the Government were contemplating some amendment in the Act. He could assure the Government, from his own personal knowledge, that there was a very large loss to the revenue on account of the inadequate supply of stamps in places distant from the centres of population. People would rather run the risk of using unstamped documents than be at the enormous expense of getting them. He knew of one case in which a postmaster applied to have a small stock of stamps sent to him and he was informed that if he paid for them he would receive 2½ per cent. discount. The postmaster would be obliged to be out of his money until he sold the stamps. The thing was absurd, and postmasters would not do it. If the law was to be carried out in country districts, and in places outside the commercial centres, it must be done in the same way as at home. There, wherever postmasters were supplied with a certain amount of stamps, they were debited to him, and he must account for them. The stamp law would not be properly carried out unless that were done. The community generally would be unable to legalize a bargain in the case of agreements. Persons travelling about the interior of the country, and mining communities, were constantly bargaining about various matters, and, unless they carried stamped papers with them, they were absolutely unable to enter into a legal contract, because the stamps were not to be obtained. He would recommend those remarks as information to the Postmaster-General, and he was very glad to hear that some amendment in the present state of things was likely to be brought about.

Motion made, and question proposed, "That this House is of opinion that the Stamp Duties Act should be so amended as to legalize the use of adhesive, instead of impressed stamps, upon all documents relating to mining property."—(*Mr. Kynnersley.*)

Mr. VOGEL was very much obliged to the honorable member for Mongonui for the suggestions he had made. There was not the slightest doubt that stamp duties generally were an awful nuisance, and there was no more unpopular officer than the Commissioner of Stamps, in every part of the country, among all persons who used stamps. With reference to the motion of the honorable member for Westland North, he might state that the course the Government proposed to adopt was to legalize the adhesive stamp for mining deeds, but not to such an extent as to offer any inducement to persons not to purchase impressed stamps. It was proposed that if an adhesive stamp were used on a deed, the document, in order to be legal, should be sent to the stamp office to be stamped. The Government would make it as easy as possible for persons to send such documents to be stamped. Although he had every desire to facilitate the business of the miners, he did not see his way to do more than he had now stated. There were strong departmental objections raised to the motion. He hoped the honorable member would be satisfied with the assurance that he would introduce a Bill, and endeavour to have it passed this session, by which the use of adhesive stamps would be legalized on condition that, within a certain time, documents so stamped should be sent to the stamp office to be stamped. They had heard a great deal about the dissatisfaction with which the last amendment of the Stamp Act was received—that as to using an impressed bill stamp. It was admitted that although that amendment had been productive of great inconvenience, it had been also productive of a large increase of revenue, showing that the previous custom of using adhesive stamps did not secure to the Government as large an amount of revenue as ought to have been secured. The stamp duties were no doubt a great nuisance, but if persons who were honestly disposed must submit to the penalties and inconvenience of paying those duties, it was but reasonable that persons who had more convenient consciences should submit to the same inconvenience. The only object the Government had was to insure that the amount which ought to be collected by law should be collected.

Mr. PEACOCK hoped the Colonial Treasurer would make a similar concession with respect to bill stamps, and allow adhesive stamps to be used instead of the present impressed stamps. Parties going into the country to transact business were often put to great inconvenience by not having impressed bill stamps with them, and being unable to procure them. If adhesive stamps were permitted temporarily in such cases, to be replaced within a certain time, as was suggested by the Treasurer, it would be a great accommodation to the whole Colony.

Mr. KYNERSLEY hoped that when the Bill

was introduced it would be simple and intelligible, and that provision would be made for the use of an adhesive stamp of uniform value. This would not only be a great convenience to the public, but would yield an increase to the revenue.

Motion agreed to.

WEIGHTS AND MEASURES ACT.

Mr. BARFF, in moving, That the Government be requested to introduce a Bill during the present session to amend "The Weights and Measures Act, 1868," said that his motive for placing that notice on the paper was simply that, on reading the report of the Select Committee appointed to inquire into the operation of "The Weights and Measures Act, 1868," he found that the Committee—and he spoke with all respect of them—did not appear to have obtained a great amount of information, nor did they appear to have been anxious to obtain it. He would not refer to the report further than to say that there were several statements contained in it which he considered to be at variance with the true facts of the case. The report said that little was ever done in any district to protect the public against the use of any fraudulent weights and measures. He could say that a great deal was done in some districts to protect the public, and, but for some defects in the Act, the public would be protected to a greater extent than they were at the present time. He would suggest some alterations which, he thought, might with advantage be made in the Weights and Measures Act. In the first place, the principal defect in the Act was that there was no penalty to force the sellers of bread to sell according to weight. That was the first great defect in the Act. It would be in the recollection of honorable members that a Bill was introduced, in 1868, intitled the *Millers and Bakers Bill*, which brought down a great amount of ridicule from all sides of the House; but if that Bill had been carried, it would have been of great benefit to the public. He would suggest that the sellers of bread should be bound to sell it according to weight. In the second place, the penalties under the Act were not heavy enough. He would cite, in proof of that, a case which occurred in the district from which he came, to show that the penalties were not only altogether too light, but that the provisions of the Act, when an endeavour was made to enforce them, were taken no notice of whatever. With regard to the sale of coal by weight, that was altogether a dead letter under the Act as it stood at the present time. To his certain knowledge, not long since, coal was weighed on the Hokitika wharf, and found to be six hundredweight short in the ton. In two cases, which occurred within the last three or four weeks, it was found that the coal was four hundredweight short in the ton, and yet, in each case, a fine of only 10s. was inflicted. There was no protection to the public whatever. He would suggest that the highest penalty should be enforced, instead of leaving it to the discretion

of the justices to inflict the lowest penalty. He would make the lowest penalty under the Act £5. At the present time the Act did not permit the inspector of weights and measures to seize the coal when found deficient in weight. The Act allowed the inspector to seize the bags or baskets in which it was placed, but not to seize the coal itself. He believed that if the coal were allowed to be seized, it would have a most beneficial effect, especially if heavy penalties were inflicted besides. At the coal mine up the Grey River, which was worked by the Nelson Government, he would not be in error in saying that the coal sold at the pit's mouth was from two to four hundredweight to the ton short weight, and that under the management of the Provincial Government of Nelson. The Provincial Government of Nelson had appointed no inspector of weights and measures for that district, and the Act did not allow the Westland inspector to act. The consequence was that every person who bought coal was swindled to a very great extent. The highest penalty inflicted in Hokitika was £2, and in the course of three years only on three occasions penalties had been inflicted to that amount—once at Greymouth and twice at Hokitika. Such a penalty as that did not operate as a check on the use of fraudulent weights and measures. The inhabitants of the district of Westland were, perhaps, in a better position to form an opinion on this subject, than those of any other district in New Zealand. Instead of appointing an officer at a ridiculously low salary, as in Wellington, where they appointed an officer at £50 a year, and did not expect him to do anything for it, the people of Westland paid their officer £300 a year, and he devoted his entire time to the discharge of his duties as inspector, not only in the towns but also in the out-lying districts, where his services operated as a considerable check upon frauds upon the public. He trusted that the Government would introduce a short Act embodying the provisions which he had indicated.

Motion made, and question proposed, "That the Government be requested to introduce a Bill during the present session to amend 'The Weights and Measures Act, 1868.'"—(*Mr. Barff.*)

Mr. COLLINS understood the honorable member who had just sat down to make a statement respecting the coal sold by the Nelson Government—that it was short weight. He (Mr. Collins) felt bound to enter his protest against that statement. He could not believe that such rascality could be carried on under the eyes of the Nelson Government. He was not prepared to disprove the statement, not having been there and weighed the coal sold; perhaps the honorable member had done so. He trusted that the honorable member who had made that statement was either prepared to prove that his words were correct, in order that such rascality might be put a stop to, or else be prepared to say that he was mistaken. He thought that one of those two courses was decidedly called for.

Mr. McINDOE did not know whether the arguments of the honorable member for Westland

South, who proposed this resolution, tended in the direction he wished, but they proved conclusively the proud position which the Province of Otago held in this matter. In Otago they had a law in force by which the bread sold must be weighed by the seller when required to do so by the purchaser. Coal, also, was weighed on the public weigh-bridges, and he could assure the House that in that Province they were very particular in those matters. Instances had occurred in which the seller of coal had been fined in a heavy penalty for not having put his coal on the weigh-bridge before sending it to his customers. So far as the Province of Otago was concerned the resolution was not needed.

Mr. FOX believed that the public of New Zealand was greatly robbed by inattention to these matters. He quite concurred with the honorable member that a more stringent Act for the regulation of weights and measures was desirable. With regard to the coal transactions in the Province of Nelson, to which he referred, he understood the honorable member to say that there had been convictions in those cases.

Mr. BARFF said that there were two cases of conviction at Hokitika, in which the parties were fined only 10s. each.

Mr. FOX.—It appeared that the parties had been brought up and convicted for those offences, and the penalty was so slight as to be insufficient to deter fraudulent dealers from defrauding the public. The fact was the public was not sufficiently awake to its own interest, and the knowledge of that fact was an encouragement to the fraudulent trader to go the length he did. They could scarcely conceive any one to be so green as to accept as a ton of coal a quantity which was six hundredweight short, but the thing was done, and similar things were done constantly by all of them in their own houses. The cords of wood which they bought were smaller than they ought to be, the bags of corn were deficient in weight. That seemed to be the principle on which trade was conducted; they never got their money's worth. Sometimes the quantity was deficient, and sometimes they got a great deal more in quality than they bargained for. The Government, under these circumstances, would be very glad to help the honorable member, but it was getting so late in the session, and they had so large an amount of business to get through, that he was afraid it would be impossible to do anything in that direction at present. The matter must, therefore, be allowed to stand over until another session; but the Government, during the recess, would investigate the matter, and he trusted they would be able to bring forward a measure of a more satisfactory character when the House met next year.

Mr. W. WOOD wished to direct the attention of the Government to a difficulty which had been experienced in the Province he came from, in consequence of their not having a standard beam and scales by which the inspector of weights and measures could test the accuracy of others. He believed that the inspector of police had communicated with the head of the department in Welling-

ton, for the purpose of being supplied with a beam and scales of a standard kind, so that he might be enabled to prove that the weights and scales which he had seized were wrong. He had had great difficulty in proving that they were wrong, because he was first required to prove that his own were right. He thought that, for the purpose of giving effect to this or any other law that might hereafter be passed on the subject, it was necessary that the inspectors should have every such facility afforded them.

Mr. CRACROFT WILSON, C.B., said that he had tested some loaves the other day, and found them deficient in weight. He undertook to speak to the baker, and the only answer he got was, "You may depend upon it, Sir, they were of the proper weight when they were put into the oven."

Mr. BARFF was glad to hear from the honorable member for Caversham that the Government of Otago had paid so much attention to this subject; but, in reply to the honorable member for Collingwood, he might state that he was in a position to say that the coal referred to was weighed at the mouth of the pit when it was put on board the barges, and was found to be deficient four hundredweight. He made that statement on the authority of a gentleman whose word he could thoroughly rely upon, and who stated that he had weighed the coal himself.

Motion negatived.

PATARA RAUKATAURI.

Mr. RICHMOND, in moving for leave to lay on the table a statement by Patara Raukatauri, respecting his proceedings on the East Coast in 1865, said the paper which he asked leave to lay upon the table was by the chief Patara, who was engaged in the disturbances on the East Coast and in the Bay of Plenty in 1865. The paper had been handed to him as Patara's own statement of his proceedings at that time, and he thought that, as the House had heard the statements of other persons on the subject, it should allow this paper to be laid upon the table. It contained nothing that the House could object to see upon its records, and it would be only fair towards a person whose conduct had been so severely animadverted upon.

Mr. McLEAN hoped the honorable member would not ask that the paper should be printed. There was a strong feeling existing in many parts of the Island that the conduct of Patara was not what it should have been. A large section of the Native race had been very much disappointed that he had not met with more severe punishment than he had done, as, through his instrumentality, many lives were lost on the East Coast. He thought it would be more advisable that the document should not now be printed, as it might necessitate the production of various other documents from other parts of the country which would put an entirely different construction on the matter. But as it was not desirable to open that question, he would ask the honorable member not to press for the printing.

Mr. FOX did not think that the movement of the honorable member was the most discreet that

might have been adopted on behalf of his client. He thought that Patara Raukatauri would have acted more discreetly by not arousing the sleeping lion of public indignation. If Patara Raukatauri provoked investigation into his conduct, he (Mr. Fox) promised him that he should have it. If that document were laid upon the table of the House it would, in part, be printed and circulated, and many men on the East Coast would be prepared to question the statements of Patara in regard to those transactions. There were also the statements made before the magistrates, and the evidence given before the Police Court, in the presence of the honorable member for Coleridge and himself, and which implicated the conduct of Patara in a very great degree. If the honorable member insisted on raising that question again, he (Mr. Fox) would promise that it should be sifted to the bottom, and viewed not only by the light of Patara's evidence, but by the light of the evidence of all other persons who were acquainted with the circumstances.

Mr. CRACROFT WILSON, C.B., did not agree with the honorable member at the head of the Government, although he confirmed the correctness of his statement. He thought it was a disgrace to the Colony that a man who was said to have presided at the sale of the Rev. Mr. Volkner's property, should afterwards have been employed by the Civil Commissioner at Taranaki. He thought that was a scandal which ought to be wiped away either one way or the other. He was glad that Patara had come forward and made his explanation, and the case should now be decided one way or the other. For the sake of justice, he was delighted that Patara had stirred in the matter, and he trusted that when the document was laid upon the table it would be printed.

Mr. RICHMOND was not there as the advocate of Patara. He simply asked, as a member of that House, to lay upon the table a paper which had been given him, not by Patara's own hand, but forwarded at Patara's request by a private individual at Taranaki, descriptive of his proceedings. He did not undertake to answer for the truth of the statements which Patara made. If it were true that Patara was excepted by his acts from the amnesty which had been offered to persons who had been guilty of acts of violence in former years, he had no desire to screen him. When he wished to be allowed to return to his former home at Taranaki, the answer of the Government was that they had no power to prevent him, and, after inquiry, had no evidence against him, but that he was still labouring under the suspicion of complicity in acts which were excepted from the amnesty, and the Government would be at liberty, if evidence arose, to treat him as a criminal. If the present Government were in possession of such evidence, he (Mr. Richmond) would not desire to stop them in their action. He quite agreed with the honorable member for Coleridge that the statement of the honorable member at the head of the Government was really a reason why this paper should be brought in and printed. It did not, in the

slightest degree, affect him (Mr. Richmond) personally, nor, as far as he knew, could it be considered as evidence sufficient to implicate or exonerate Patara; still, it was only fair to every man who was accused, when the papers accusing him were recorded in the journals of the House, that he should have an opportunity of speaking for himself. He agreed with the Premier that the document must, sooner or later, be printed, and hoped the Native Minister would not press his objection to the printing.

Motion agreed to.

TARANAKI VOLUNTEERS.

Mr. KELLY, in moving the motion standing in his name, said that no new principle was introduced in his motion. There was an Act passed by the House, in the session of 1865, called "The Volunteer Lands Act," which authorized the Superintendents of Provinces to grant remission certificates to certain militiamen and volunteers who had complied with certain conditions named in the Act, for the purchase of any waste lands of the Crown in the Province. That power had not been exercised by the Superintendent of Taranaki, owing to the waste lands of the Crown there having been taken up by the General Government and reserved for defence purposes. The persons who would be entitled to remission certificates under the Act, if his resolution were passed, would be men of the Militia and Volunteer forces of Taranaki who had served in that Province from the commencement of the war. They had served when the war first broke out, and were mainly instrumental in staying the progress of the march of the Ngatiruanui and Taranaki Natives, who came up 600 strong for the purpose of taking the town of New Plymouth and driving the settlers into the sea. They met the enemy at Waireka, and were mainly instrumental in defeating the force, and putting an end to the expedition. They were also engaged at the battle of Mahoetahi, which was alluded to in the House the other evening. In conjunction with the 65th Regiment they stormed Mahoetahi Hill, which was occupied by a force of Waikatos, and drove them from their position, and in the engagement a large number of the Natives were killed. In every other engagement which took place in the Province in 1860 and 1861, and in the subsequent war, from 1863 to 1865, the Militia and Volunteers of Taranaki were always foremost in the fight. Either in regular engagements, skirmishes, outpost duties, or even the drudgery of escort and sentry-go, they had always done their duty and given great satisfaction. He thought he had shown that, if any persons were entitled to an acknowledgment for military services rendered to the country, the Taranaki Militia and Volunteers were. The amount of land would not be large, because the number that could come in under the Bill of 1865 was now much reduced. He would read the clause of the Bill which had special reference to them. It stated:—"To every officer of Volunteers, or efficient volunteer, after five years service, for any sum not exceeding thirty

pounds (£30). To every officer, volunteer, or militiaman, after six months' active service in which he shall have been actually engaged against the Queen's enemies, and for every subsequent six months of such active service, any sum not exceeding five pounds (£5). Provided that no officer, volunteer, or militiaman shall be entitled to such certificate who has already received any land in payment in consideration of his services." The grant was not much, and it would be conferring a graceful acknowledgment of valuable services. There was a class of settlers in Taranaki who received considerable grants of land from the Colony. He referred to the settlers who were obtained from some parts of New Zealand and Australia in 1863. They had received grants of from fifty up to 200 and 300 acres of the very best land in the Province. Although those men were always willing to render their services on all occasions against the enemy, yet they were only fortunate enough to take part in a regular engagement once during the war which commenced in 1863, and the persons who had received no consideration whatever in the shape of land, had gone through active service for a very long period, and on many occasions had greatly distinguished themselves. This invidious distinction occasioned a feeling of injustice in their minds which should be removed. The principle of giving land for military services in the field was recognized in the House, the other evening, in the case of Major Turner. He objected to the land being granted to that officer on the terms proposed, but in the present Bill it was in a less objectionable shape. It was urged by some honorable members that some resolution should be brought forward, giving land to all persons who had rendered military services to the country. Now, he did not go the length of saying they should confer land upon persons for military services of short duration, but when those services extended over a period of many years, and when the persons who had rendered those services had also suffered great loss from their homes being desolated, he thought that such a small acknowledgment as he proposed would not only be a graceful act which would be gratefully received, but it would confer credit upon the Legislature in its bestowal. With those words he moved the motion standing in his name.

Mr. RICHMOND had great pleasure in seconding the resolution. He did not think the honorable gentleman had quite explained the case. The point was that there were no lands in the Province of Taranaki at present available for the purpose over which the Superintendent had authority, and what the honorable member asked was that they should not disappoint the expectations which the Bill of 1865 aroused in the minds of the volunteers, by throwing them upon the little land that there was under the control of the Provincial Government, but should open to them the confiscated lands in the district. The boon was not a large one, and it was no trifling service that those volunteers and militiamen had rendered to the Colony in former times; and had the Colony

been served throughout with the same zeal which they exhibited, we should not have had the long years of trouble, and the heavy loss and burdens which the Colony suffered. That he could say from his own knowledge of the men, and he was sure that every one who has had opportunities of knowing them would agree in the estimate which his colleague and himself had formed of them.

Motion made, and question proposed, "That, in the opinion of this House, it is desirable that any certificates of remission which may be issued by the Superintendent of the Province of Taranaki, in the terms of 'The Volunteer Lands Act, 1865,' may be exercised in the purchase of any waste lands of the Crown or Crown lands within the Province."—(*Mr. Kelly.*)

Mr. McLEAN was glad that the honorable the seconder of the motion had explained that it had reference to the confiscated lands. He was quite aware that there was very little of the provincial estate left to enable the Superintendent to carry out the law as it was laid down in the Act to which the honorable member referred. But, before passing the motion as it stood, as it involved new territory—the confiscated lands—perhaps the honorable member would not mind giving the Government a little time to make inquiries as to the extent of liability which would be incurred, and other information connected with it.

Mr. CARRINGTON had taken steps with that object. The object was that a remission certificate should be granted to the extent of £5 for every six months the men had served, and no man could receive more than £30.

On the motion of Mr. McLEAN, the debate was adjourned until next sitting day.

SAVINGS BANKS.

Mr. STEVENS, in moving the motion standing in his name, said that the Select Committee which sat, in accordance with a resolution of the House, on the subject of savings banks, had reported in the terms of his resolution. The facts of the case were as follows:—There were a number of banks—one in almost every Province in the Colony—operating under the provisions of "The Savings Banks Act, 1858." They had continued to do so up to the present time, with one or two exceptions, notwithstanding the concurrent existence of the post office savings banks. He believed it was admitted on all hands that the post office savings banks had for their ultimate object the supplying of the savings bank requirements of the public of the Colony; and there had been, on the part of a large portion of the community, a feeling for some time past that those banks which were the subject of the inquiry were not occupying a satisfactory position, either in regard to depositors or in regard to the Government of the country, as having instituted a provision for a convenient method of small savings by the public. He would illustrate the case. There were savings banks in the Colony which were now carrying on business to the extent of receiving deposits amounting to some ten or even twenty thousand pounds a year,

in some instances. Under the Act of 1858, they were compelled to hold, in the shape of Government securities, or property largely mortgaged, an amount not exceeding nine-tenths of the full amount. There was also another disadvantage. They were operating in opposition, as it were, to the Government savings banks. They received deposits from almost every place in the Colony, and the Government savings banks carried on precisely the same class of business and afforded abundant security. Besides this, the savings banks, in the event of their being unable to pay the interest to depositors, would have to be furnished by the Colonial Government with the means for doing so. In the event of there being any deficiency in the funds of the savings banks to pay interest over and above their office expenses, there was a provision in the Act which constituted them by which the provincial funds should be chargeable with such deficiency, and that liability was perfectly unlimited. If the losses of a savings bank amounted, in one year, to several thousand pounds, thereby placing it in a position in which it could not pay the interest which might be payable on all the deposits then standing in the bank, the provincial account at the colonial treasury would be chargeable with the deficiency. And further than that, there was a provision by which the Government was liable, to the extent of £1,000, for the principal of the deposits, to be paid and charged in a similar manner. That was a temporary advance, but it must be observed that it was an advance which might never be refunded, through the inability of the bank to do so. The Committee had carefully considered the way in which the whole question might be best dealt with, and he might state that their report had been unanimously adopted after much consideration. The Committee had come to the conclusion that the provisions of "The Savings Banks Amendment Act, 1869"—which made it possible that any one of those banks should be voluntarily wound up by the co-operation of the trustees of the bank with the Colonial Government—should be altered so that the winding-up should be made compulsory instead of voluntary, in order that anomalies and inconveniences which appeared to exist in regard to them should be put an end to. They had not thought it desirable that the trustees of the old banks, which had been working more or less successfully for many years, and with great advantage to the public, should be altogether passed by. It was thought by the Committee that it would be only proper that the trustees should be consulted as to the manner in which any surplus which might appear after the realization of assets and the discharge of liabilities should be dealt with. There would, no doubt, be such a balance of assets over liabilities, in some instances, and the point as to whom the funds should belong had been one of the chief difficulties with which the Committee had to deal. They did not feel that it would be right that the money, having been accumulated by the operations of a bank in one locality should be made Colonial revenue, nor did they think

that it was desirable that the funds should be made altogether provincial revenue, without limitation. On the other hand, if it did not become either one class of revenue or the other, they were unable to discover who was to be the recipient of it; because, although it was nominally contemplated by the Act that it should belong to the depositors, it was impossible to maintain that the present depositors should be entitled to the profits which had accumulated from the operations of years, and which might have been produced, to a considerable degree, by the deposits of many years past. They, therefore, had come to the conclusion that it would be better to devote any balance of assets over the liabilities, on the realization of its securities, in any bank, to some charitable or educational purpose within the Province in which the bank was situated; and they thought that it was desirable that the trustees of the bank should be asked to recommend to the provincial authorities to what object, either educational or charitable, those balances should be applied. Of course, in the event of the trustees failing to do so, the Provincial Government would at once proceed to apply the money to such of the two purposes as they might think fit. He thought, on the whole, that the balance of advantages was very much in favour of these banks ceasing to continue. The public who desired to make small deposits would find a complete security and an exceedingly convenient and ready machinery in the post office savings banks. He thought it would be found that the recommendation of the Committee was one which supplied all reasonable demands, and would entirely satisfy those who really took a fair and intelligent view of the subject. He might state that the Committee had not found it necessary to go into any voluminous evidence, and, therefore, he would not move that their proceedings should be printed. The Committee consisted, in a very large degree, of honorable members who had been for many years trustees of savings banks in different parts of the Colony, and he trusted that the unanimity with which they had passed their report would be sufficient to induce the House to adopt it, and to pass a Bill founded upon it.

Motion made, and question proposed, "That it is expedient that all banks existing under 'The Savings Bank Act, 1858,' should be compulsorily closed, and that the winding-up of such banks should be conducted under the provisions of 'The Post Office Savings Banks Amendment Act, 1869;,' and that any surplus remaining after the realization of all assets and discharge of all liabilities of any bank—including the compensation to any officers for loss of office—should be payable to the Provincial Government of the Province in which such bank is situated, and shall be applied to such charitable and educational purposes as the trustees shall recommend; or, failing the trustees making a recommendation, the money to be paid to the Provincial Government of the Province, to be appropriated by the Superintendent and Provincial Council to such charitable and educational purposes as they may think fit, and that the Government be requested to take the necessary steps

to give effect to the same during the present session."—(*Mr. Stevens.*)

Mr. VOGEL said that the Government were prepared to accept the proposals of the Select Committee, in which they quite concurred. But he wished it to be distinctly understood that the action taken by the honorable member for Selwyn was perfectly independent and spontaneous, so that no suspicions could arise that the Government had any desire to obtain possession of the funds, or that they supported the proposals for any such reasons. He believed it was desirable to consolidate the savings banks throughout the country, and that advantage would arise from adopting the proposals just submitted to the House. It might be questioned, in some parts of the country, whether money was not more judiciously invested under the post office system, than in semi-private savings banks. He repeated, so that there might be no mistake hereafter, that the proposal was not made by the Government, and that it was not accepted by them from the motives he had stated, but only because they believed it tended in the direction of improving the savings banks throughout the country.

Motion agreed to.

IMMIGRATION AND PUBLIC WORKS BILL.

Mr. VOGEL, in moving the third reading of this Bill, said that he must congratulate the House upon the successful manner in which the Bill had passed through that branch of the Legislature. He considered it now became the duty of the Government to state to the House the limit of the action which would be taken under the measure, before next session. It was in accordance with the undoubted desire of the House—not to encumber the measure with details of the works to be constructed in any particular locality—that the Government consented to the modifications with respect to the railways, making it explicit that railways should not be constructed without adequate information being given to the House. The conviction had been forced upon the Government that it would not be at all desirable that the House should refuse to make any use of the measure during the present year, provided that such use was compatible with the terms of the Bill. Before the session commenced there was an undoubted determination on the part of honorable members representing various districts to ask for permission to construct railways in certain localities; and it would be in strict accordance with the railway policy which the Government had endeavoured to inaugurate, that it should not be stated, as one of the results of the measure, that the construction of railways in various parts of the country, which, if brought forward separately, would have been carried, had been burked by the Government Bill, which had for its object the construction of railways. There were railways proposed and prepared for, of which the House could authorize the construction strictly under the terms of the Act, and it was only to that extent that the Government now applied to the House

for the necessary authority for the construction of railways. He would take another opportunity of laying before the House full details of those railways, but he would now content himself with simply enumerating them. In doing so, he wished to state that such portions of the lines of railway as the Government proposed to construct were amenable to two conditions. Firstly, they were lines that came under the character of trunk lines; and, secondly, such portions as the Government would ask authority to construct were portions about the route of which there could be no question, and no difference of opinion whatever. With those two conditions before them, and a third condition he might add—that adequate professional information had been afforded—he thought he might fairly come to the conclusion that they were acting in accordance with the spirit and intention of the Act, in inviting the attention of the House to those railways, and explaining the course which the Government intended to pursue in reference to their construction. He hoped the House would have no difficulty in giving the necessary authority; and if the authority given proved insufficient, the Government would procure sufficient authority by a further reference to the House. The Government then, in the first place, asked the House to authorize the construction of a railway which had been under consideration in the Province of Otago for several years. It had also been under the mature consideration of this House. He alluded to the line from Dunedin to Clutha. It was not proposed to make it upon so costly a scale as was originally intended. The Government proposed to ask for authority to construct it under a guarantee of $5\frac{1}{2}$ per cent. on not exceeding £5,000 per mile, the guarantee to be for a term not exceeding thirty-five years, and to be coupled with conditions as to the nature of the works, the rate of speed, and other particulars, which would be set forth in the Bill. It was also proposed to insert an alternative. In case of the railway not being constructed by guarantee, power was to be given to the Government to construct the railway by direct payments to the extent of £5,000 per mile; so much money to be borrowed as would be required in addition to the amount available under the Middle Island railway land fund. The Province of Otago and Southland might calculate upon receiving something like £180,000 out of the fund, and, in that case, the balance to be made up by borrowed money, would not be a very large amount. On the other hand, if the railway were constructed on a guarantee the money under the Middle Island railway fund would be available for the extension of the line in a northerly direction. The Government did not say whether other railways had not larger claims within the Province, but there was an undoubted necessity and desire for the railway in question, and ample information respecting it had already been before the House. The next railway which the Government asked authority to construct was within the Province of Canterbury. He thought it was scarcely necessary

that he should remind honorable members that the railway system in Canterbury had been attended with very considerable success. They had a large margin after paying working expenses, and the further the lines were constructed the more payable they became. In that Province, the system prevailed of constructing railways by borrowed money, and with such system the Government did not intend to interfere beyond this: that any railways constructed under the authority of this Act would have to be constructed by the Government. When constructed, they might be handed over to the provincial authorities to be worked on the principle in existence there. The construction, however, of the line must be undertaken by the Colonial Government, and that Government would be responsible to the House for the expenditure. It was proposed to ask the House for authority to construct eleven miles of railway from Timaru to Timuka, at a cost not exceeding £5,000 per mile, the Provincial Council to make a contribution of £7,000 towards expenses, which contribution they had expressed their willingness to make. It was proposed also to construct a railway from Selwyn to the Rakaia, and in a northerly direction from Christchurch to Rangiora, the cost not to exceed £5,000 per mile. That, however, was a larger cost than would be necessary, as he believed it could be constructed for something like £4,000 per mile. The Government also proposed to ask the authority of the House with respect to another railway which had been already under the consideration of the House during several sessions, and with respect to which there could be very little doubt that it would be payable. The House was also in full possession of the facts concerning it, the plans and specifications having been deposited. He alluded to the railway between Picton and Blenheim. It was proposed to construct that line upon a system of guarantee similar to the guarantee already described, the cost guaranteed not to exceed £3,500 per mile. In reference to the Province of Marlborough, he might mention that there was not only a large accession to its revenue on account of the capitation principle, but it would be able to fall back upon one-half of the stamp duties next year, and would also have its share of the Middle Island railway fund. He next came to the consideration of a line of railway which might be said to be altogether of an exceptional character—the railway between Nelson and Cobden. That line had been the subject of frequent investigations and Bills in that House. The Commissioners at home had been requested to negotiate on account of that railway. The Government asked for authority to construct it upon the condition that the contract for it should be by payment in land, with the exception of the first twenty-four miles out of Nelson, which would run through a settled and populous district—a district which would make the railway a payable one. With respect to that first and smaller portion, the Government would ask the House to allow a guarantee to be given upon an amount not exceeding £4,000 per

mile. There was only one other railway it would be fair to ask the House for authority to construct, and that was the line between Auckland and the Waikato Bend, a distance of forty miles. It was a line which had been the subject of repeated investigations. Plans and specifications had been deposited with the House, and he had no doubt the line would prove a payable one. It was intended to ask the House to give authority to enter into a guarantee of $5\frac{1}{2}$ per cent. on a sum not exceeding £3,500 per mile. He trusted honorable members would recognize that in making those proposals the Government were taking cautious and judicious steps in the use of the Act. Such was the condition of the Colony at present, that time should not be unnecessarily lost in initiating any scheme, provided it could be done safely. Even if the authorities asked for were given, some months must elapse before any arrangement could be really effected. He trusted, therefore, that honorable members would recognize that it was in the interest of the public that the Government were desirous of carrying out the provisions of a Bill which had received so much support from all sides of the House. The Government thought it right to give to the House the earliest intimation of their intention, so that honorable members would have time to consider their proposals. He trusted also that the House would agree that the Bill which they now asked to be read a third time should not be embarrassed by any discussion upon any particular railway which it was proposed to construct. The provisions of the Bill had been amply ventilated otherwise. He moved that the Bill be read a third time.

The Bill was read a third time, and passed.

GOVERNMENT OFFICERS GUARANTEE BILL.

Mr. VOGEL, in moving the second reading of this Bill, said its object was to provide a new system of insurance of the fidelity of officers in the service of the General Government, as it was found not to be desirable to continue the present system. The Bill gave power to the Governor in Council to make regulations for the establishment of mutual guarantees. It was considered desirable that all the officers of the civil service, receiving beyond a certain amount of salary, should be guaranteed in proportion to the amount of salary received. When any defalcation occurred within the amount to which an officer was insured, the whole service would be responsible for that defalcation, and a reduction would be made in salaries in ratable proportion to their amount. The proposed plan was somewhat analogous to that which had been found to work successfully in some of the larger joint stock companies. It would tend to preserve from dishonesty those who might be inclined to fall into temptation. The history of the greater number of defalcations was, that persons contracted some debts, or borrowed money which they wished to pay back, or were extravagant, and were thus tempted to commit defalcations, and so it went on, until the defalcations

became serious. It was right that officers in the civil service should exercise a certain amount of control over each other. He did not think it was necessary to enter into the particulars of the Bill, but he might say that he proposed that even Ministers of the Crown should make some contribution, so that the system would run through the whole service. In most cases where defalcations occurred, there existed, more or less, a knowledge, or a conviction, in the minds of the officers who were brought into contact with the defaulters, that something was wrong; and defalcations might, in some cases, arise from the neglect of those persons. If the House sanctioned the proposed system, its effect would be to give to the Colony a much greater security, in cases of defalcation, than at present. There were so many obstacles in the way of recovering securities at present, that, in some cases, it was hardly worth making the claim. While the proposed system would be a great relief to the civil servants generally, its effect would be to make them more responsible. When the Government took an officer from one department and removed him to another, they would not, as at present, have to consider whether he was under a sufficient fidelity bond.

Mr. ROLLESTON had not had time to thoroughly study the Bill, which had only lately been circulated. He confessed there were points in it which, to his mind, as an old officer, appeared somewhat objectionable, though he admitted that a subject of this kind must have some feature in it that was not altogether pleasant. In the preamble of the Bill there were some words which he should like to see struck out, namely, the words "more convenient and less costly," and he thought it open to question that the officers of the Government service should be forced into a kind of compulsory partnership to make good the defalcations of any of their number. He thought the system of guarantee should take the form of insurance, which should have some other character by which the less pleasant and not less necessary object of this Bill should be secured. If they paid into an insurance company of this kind, it should be a regular payment by all the officers of the Government, and not, as provided in the Bill, according to certain classes of the service as the Governor in Council might determine by regulations made from time to time. There should be a regular fixed contribution into the mutual insurance company, the profits of which, from time to time, should be devoted to the benefit of the members of the service. It appeared to him that some feature of that kind would render the Bill a more pleasant one to contemplate than it was. He did not think they should contemplate, in legislation, the fact of anything like espionage of one man over another. If he understood the meaning of the honorable member rightly, what he wished was that there should be the necessity of watchfulness of one member of the Government service over another for pecuniary reasons. There was something unpleasant in that idea. What the honorable gentleman had stated when

he informed them that the salaries of Ministers were to be subject to reduction, had entirely removed any impression that there was any intention to put a slight upon the civil servants generally; but he (Mr. Rolleston) did not think Ministers' salaries should be liable to such reduction. They were small enough, and their responsibility was great enough. He would rather see an association formed with another object than that of simply repaying the country anything lost by the want of fidelity on the part of any civil servants. He should not oppose the Bill, but he thought it right, as an old civil servant, to give his impression of the Bill on its coming into his hands.

Mr. CRACROFT WILSON, C.B., said it seemed to him that the object which the Government had in view in introducing this Bill was to save the civil servants from the payments which they were now compelled to make to the banks as a guarantee for their fidelity. He presumed he might assume that that was a fact. The words "less costly" meant that it would be less costly to the officers themselves, that there should be no monthly or quarterly payments to certain fidelity insurance offices to guarantee the fidelity of the civil servants. There was no doubt the principle involved in the Bill was a new principle to him. Those large institutions, the banks, which had such a number of officers located in different parts of the Colony, and, in fact, in other colonies, had altogether dropped the system of taking private security from their servants, and they now require their servants to pay a certain sum, he thought by quarterly payments, to certain insurance offices to guarantee their fidelity. He was sure the banks preferred the present custom to that of taking security from private individuals. He spoke with some knowledge on the subject. He was surety for a relative of his own, for some time in a bank, and he (Mr. Wilson) had been informed that the bank had ceased to require securities from private individuals, and insisted upon the employee insuring his fidelity himself. The question was whether the principle adopted by the banks was a good one, or whether the principle embodied in the Bill was better for the civil servants themselves. It was for the House to determine which of the two plans was the best.

Mr. STEVENS said the Bill seemed to be founded upon the principle recognized in some insurance offices—of insuring the fidelity of officers by payment, in much the same way as life assurance. He had no objection to the Bill, except on the ground that it was likely to give rise to a system of espionage among the officers, which he thought objectionable. The Bill appeared to be founded on the plan of periodical contributions to establish an insurance fund. He would ask the Colonial Treasurer to take into consideration whether the admission of officers, for whom large salaries would be demanded, and with large pecuniary responsibility attaching to them, at a period subsequent to the foundation of this plan, might not very materially alter the position of those who had entered into it. He presumed

the system would be entered upon at once, and that the officers would contribute in proportion to the amount of salary they were likely to receive.

Mr. VOGEL said that any officer receiving a salary of not less than £300, for instance, and not more than £350, would be considered to be under a guarantee to the Government in a sum proportionate to the salary received. There was a certain rate of fidelity guarantee attached to the rate of salary.

Mr. STEVENS understood that it was proposed to have a maximum limit of salary to come under the Bill. It would not be desirable that persons holding offices of exceptionally large money responsibility, which were not created at the outset, should be able to come within the provisions of the Bill, thereby increasing the risk very materially. He found by the last clause of the Bill that certain officers were excepted. The risk of fidelity in some of the officers referred to was very much greater than in the case of a post office clerk, and they might have in their hands, day by day, sums of large magnitude indeed. It would not be right to have such officers placed in the list of contributors unless there was a maximum of salary fixed, and, by consequence, of responsibility. He thought the Bill would tend to secure the fidelity of the civil servants.

Mr. VOGEL did not know that any serious objection had been raised against the Bill, except the one which the honorable member for Avon had raised, which was an objection always urged against any system of mutual assurance—that of espionage. That espionage was of the most salutary description. It was compatible with the organization of the civil service, that the officers should know that such a system existed among them. It was also due to the service that the officers should report when they found any officers with whom they associated guilty of any defalcation. The repayment of the loss did not compensate the Government, or the country, for the defalcation. The irregularity, the interruption of business, and the disorganization, could not be repaid by the mere recoupment of the money lost. There was one case in which an official could absolutely have stated that the accounts of his superior were wrong, but he could not be blamed for not doing so; he had not the position which entitled him to report that the accounts were wrong. That was the case through many branches of the public service. Officers might be guilty of the greatest irregularities, and there was no power on the part of others to report them. He would read a few lines from a minute of his own on the subject of espionage:—

"What I propose would involve nothing more than a healthy exercise of discipline, which would make the civil servants understand that they compose part of one body, and that they are subject to discipline and organization, and especially to the control of their superiors in office. Besides, against any fanciful objection, there may be argued the amount of real benefit which would result; few young men rush at once into a system

of defrauding—their downfall is gradual, and is usually indicated by the symptoms which I have sketched out in the various recommendations the board might be called on to make. A plan by which a check could be interposed in time would save many civil servants, not from defrauding only, but from extravagance, ruinous to their future prospects.”

It was proposed, in the case of persons newly entering the service, that they should be under private bond for one year. With regard to the objection urged by the honorable member for Selwyn, he might say that in making a new appointment there was a larger contributing power in proportion to the larger responsibility; the new officer added another item to the contributing power. There was an objection to Ministers' salaries being directly affected by any defalcations, but, indirectly, a contribution could be made, and it was following out the plan adopted in some banks, where a yearly contribution was made by the directors to the insurance fund. He thought it was only right, and would not involve any loss of dignity, that Ministers should share with the civil service some amount of responsibility. He might mention that all reductions would only be made after defalcations were ascertained.

The Bill was read a second time, and ordered to be committed next sitting day.

GOVERNMENT ANNUITIES BILL.

Mr. VOGEL, in moving the second reading of this Bill, said that its object was to make some amendments in the Act of last year. Clause 1 removed some doubts which had been found to exist as to the powers of the Government to enter into contracts based upon the duration of life. Clause 2 provided for the assignment of contracts of assurance, which was not allowed by the existing Act. Honorable members must be aware that one very great advantage of assurance was that it enabled transactions to be completed by giving additional security. For example, a man sold a property upon terms of long credit. It might be a very important element, in respect to repayment, whether the purchaser was enabled to continue personally to superintend the business, and the vendor would ask for an assurance as an additional security. An enormous amount of assurance business was conducted on the principle of giving security in transactions of credit. It was therefore thought very desirable to enable those assignments to be made. Clause 6 gave a protection, within certain limits, in cases of bankruptcy, to the extent of £1,000 on assurance of life after the premium had been paid for two years, and to the extent of £100 a year, in the case of an annuity, where two years' payment had been made. He intended to add a further restriction in respect to annuities, namely, that the annuity should not be protected until after the person attained the age of forty-five years. Then there was a power to give some protection—he was sorry the honorable member for Grey and Bell was not there to congratulate him—to married women; and also a power by which some-

thing in the nature of a trust might be created where an assurance was effected in favour of the wife and children of the assurer. Those were the principal features of the Bill. Its whole object was to make that which had been a great success hitherto, a still greater success.

The Bill was read a second time, and ordered to be committed next sitting day.

GOVERNMENT INSURANCE AND ANNUITIES EXTENSION BILL

Mr. VOGEL, in moving the second reading of this Bill, said that the Government had had its attention directed to the desirability of affording to emigrants from home facilities for obtaining credit, by extending the Insurance Act to Great Britain, and the object of this Bill was to enable that extension to be made. The tables would be those approved of by the Governor in Council, in force in the Colony, and the amount of an insurance would be limited to £1,000, and of an annuity to £75 per annum. Honorable members would see that every precaution was taken to secure that operations under the Bill should be conducted with safety to the Colony, while, at the same time, the business would be made more certain, by extending it over a larger sphere. He need scarcely say that the business of assurance was one which was certain to be successful if there was a sufficiently wide range over which to divide the average, while, on the other hand, it might be unsuccessful if it was very limited in its operation.

The Bill was read a second time, and ordered to be committed next sitting day.

MILITIA AND VOLUNTEER SERVICES.

The House went into Committee to consider the resolutions contained in the interim report of the Select Committee appointed to consider the working of the Militia and Volunteer Acts.

IN COMMITTEE.

On the motion of Mr. LUDLAM, the resolutions were considered *seriatim*:—

(1.) That an officer should be appointed to command, and periodically inspect, the Militia and Volunteer force of the Colony, and be generally responsible to the Government for the efficiency thereof.

Mr. LUDLAM said these resolutions had been carefully considered by the Select Committee, and were now brought up for that of the House and the Government. He had been requested to conduct them, and, in moving the first resolution, he might say that it was deemed to be one of the most important which had been under the consideration of the Committee. He could not do better than quote from the report of the Committee:—

“Your Committee is of opinion that the efficiency of the Militia and Volunteer forces mainly depends upon the appointment of a duly qualified, zealous, commanding officer, one who is thoroughly competent to organize and instruct, and well fitted to infuse a spirit of emulation and soldierly feeling amongst those under his command,

and also to enforce discipline, while at the same time respecting those peculiarities connected with a too rigid adherence to forms which characterize all young colonies. It should be an essential part of his duty to minutely examine, at least annually, every company in the service, selecting, as far as possible, the season of the year in which the greatest muster can be obtained, and giving due notice of his proposed inspection. This inspection and examination should extend to everything affecting the drill and discipline of the officers and men, and the state of the arms, accoutrements, and records, and the result in each case should form the subject of a full report to the Minister of Defence."

In 1866, or 1867, there was an officer appointed to inspect the Volunteers, but the House declined to vote a salary for that purpose, as they considered that the whole system was inefficient, and the management not of such a character as would justify the Colony in expending the required amount. There could be little doubt that, as the Colony was now thrown upon its own resources for local defence, it was most important that there should be a highly competent officer appointed, to whom the Militia and Volunteers could look as their head, who would take an interest in them, and bring any matters under the notice of the Government from time to time. He believed that the inefficiency which now existed in the Militia and Volunteer services was to be attributed, in a great degree, to the want of such an officer. The companies were left almost entirely to their own guidance, and there was not that inspection which was so necessary.

Resolution agreed to.

(2.) That the defence charge for Militia and Volunteers should be a general and not a provincial charge.

Mr. LUDLAM said that the Select Committee had almost unanimously arrived at the opinion that the charge should be a colonial and not a provincial charge. He was bound to say that the Defence Minister, while agreeing to the principle, distinctly informed the Committee that it would be impossible to disturb the financial arrangements during the present session, so as to carry this resolution into effect. The Committee felt, as he had felt in 1867, when it was proposed to make the local defence of the Colony a provincial charge, that it was not placing the cost of the defence of the Colony upon a proper footing. Now that the Colony was thrown upon its own resources, the House should decide to put the Militia and Volunteers in a properly organized state. That was a question of considerable expense, and when they had become organized and efficient it might be seen, as had been the case in former years, that the sums placed upon the estimates would be reduced. The result would be that, if the allowance to the volunteers was reduced through any pressure which was put upon the Government by the Provinces, the whole system would collapse. Nothing had done more harm than holding out to volunteers the prospect of receiving a specific capitation allowance and then reducing it by 50

per cent. He felt, although it might not happen now, when the necessity for local defence was so apparent, that in a year or two the same unwise policy might be repeated. It was upon that ground that the Committee had decided that the local defence of the Colony should be a colonial and not a provincial charge.

Mr. MACANDREW said that, as a Middle Island member, he must raise his voice against this clause. He could not see what the Middle Island had to do with supporting the Militia and Volunteers of the North Island. When the Bill was in Committee he should propose that the Middle Island should be excluded from its operation. It would be impossible to enforce the Bill there, and, at the present time, when we were endeavouring to attract population to our shores, it would be exceedingly unwise to have a Militia Act staring them in the face. He should oppose this clause because it was very unfair, and because the Middle Island had done enough, and was doing enough now, in contributing to the defence of the North Island, without being exposed to the charge proposed by this resolution. He should divide the Committee upon it.

Mr. McLEAN said that what the honorable member for the Hutt had stated was perfectly correct, namely, that he had informed the Committee that if this resolution were pressed, it would entirely disarrange the financial proposals of the Government. As he understood it, it had been merely given as an indication of the mind of the Committee, but not as a matter to be insisted on. He quite agreed that, in cases of emergency, and in cases of depression in any Province, such reasoning was well founded. He must, however, ask the honorable member not to urge the resolution, inasmuch as it would not only embarrass the present financial arrangements, but would affect the whole of the finance measures; because the Bill, which provided for the defence of the country for five years, contained a provision to the effect that whatever sum was saved from the defence expenditure should go in liquidation of New Zealand debentures,—so that there would be no fund to meet this contingency. He would, therefore, ask the Committee to annul the resolution. Considering the late period of the session, and the difficulty of making fresh financial arrangements, it would be better to withdraw the resolution.

Mr. BUNNY should like to hear from the Defence Minister whether the Government would be prepared, next year, to make the Militia and Volunteers a general, and not a provincial, charge. He could not agree with the honorable member for Clutha that the Middle Island did not want a Militia force, because it was the defence of the Colony that they had to deal with. By all means let it be done away with if the House thought it was not necessary to have a Militia or Volunteer force. If, however, it was the opinion of the Assembly that such a force should be maintained for the defence of the Colony, it did seem somewhat ridiculous that it should be made a provincial charge. How would that principle work in the case of a Province which had no revenue for

the purpose—the Province of Wellington, for instance? The amount charged against the Province was more than it could pay. He trusted that, if the Bill were passed in such a shape as not to interfere with the financial arrangements of the Government, a change would be made next session.

Mr. McLEAN said that the Government could not give any pledge of that kind at present, or, indeed, until next session, when some determination might be arrived at. He could not hold out any hope to the honorable member, or offer any pledge for the future, with reference to the change proposed in that resolution. He thought it would be advisable that the other resolutions before the House should be disposed of. There would, perhaps, be a difficulty in finding the means in some of the Provinces, but, after all, the charge would probably not be so heavy but that the Wellington Province would be able to bear it.

Mr. BUNNY said the Province was not able to bear it, simply because it had not the money to do it.

Mr. CRACROFT WILSON, C.B., maintained that nothing that had been done by the House had more tended to damp the feelings of the Volunteers of Canterbury than the resolution passed in a previous session, that all Militia and Volunteer expenses should be made provincial charges. Shortly before that resolution was passed by the Assembly, the Provincial Council of Canterbury passed a resolution that they would not, in future, contribute anything towards keeping up the Volunteers. Formerly, a small sum, 25s. he believed, had been voted by the Council for every efficient volunteer in the Province, but, after the action of this House, and after the Council had declined to contribute any more towards keeping up the Volunteers, the zeal of the Canterbury Volunteers had been gradually evaporating. It was the member for Timaru who caused a resolution to be passed that all Militia and Volunteer expenses should be a provincial charge; and Major Atkinson, thinking it would be very detrimental to the whole Volunteer system, moved that the resolution be rescinded, and he (Mr. Wilson) well remembered the debate which took place upon the subject, and he also remembered the division in which the Government were victorious by only three votes. It had this effect upon him, that the Provincial Council, having resolved to pay nothing to the volunteers, it was not right or fair on the part of any Canterbury member, by means of his position in this House, to force the Province to do that which the Council had resolved it should not do, and he did all he could to cut down the allowance to volunteers in Canterbury, and he feared he had cut them down too much. When he returned home, after the session, he was taken to task for what he had done, and he placed the whole position of the matter before the volunteers, who agreed with him that the course he had taken was right and honest. He told the House that if they wished to do away with volunteers altogether, they had only to keep up that resolution on the records of the House

a little longer. If they did that, he ventured to say, there would be no more volunteers in Canterbury. In consequence of that resolution the capitation allowance had been reduced to the lowest amount, and he knew that all the volunteers there were in what he might not inaptly term a state of almost destitution in regard to uniform. They wanted assistance, and he asserted that it was an absurdity, on the face of it, to make the expense of the defence of the Colony anything but a colonial charge. He had no hesitation in saying that the bare fact of such a change being made, as that proposed in the resolution now under discussion, would throw more spirit into volunteering than anything else they could do.

Mr. MACANDREW did not see how it could matter to the volunteers whether the capitation allowance was made a provincial or a colonial charge, so long as the allowance was granted. He understood that provincial charges meant sums voted by that House and charged against the Provinces, and had nothing to do with the amount to be given. Therefore, he thought the arguments of the honorable member for Coleridge fell to the ground. He might say that, in the Province of Otago, the Provincial Council was much more liberal in dealing with the Volunteer movement than seemed to be the case in Canterbury, and he, for one, as a member of that House, would not treat the Volunteer movement in any niggardly spirit; but he said let the expense be locally charged. He could not see the justice of compelling the Middle Island to maintain the Militia in the North Island, which was the proposition to which he had objected.

Mr. VOGEL said that, to his mind, the question of whether this should be a provincial or a colonial charge was one which had already been disposed of. If it were desired to make it a colonial charge, the House ought to have known of that desire before the Payment to Provinces Bill was passed, as the effect of taking such a course now would be to increase the payments to be made to Provinces under that Bill. Honorable members would agree with him, that they could not be justified in doing that, particularly as, under the Immigration and Public Works Bill, a portion of the stamp duties was set apart for the Provinces, to be applied towards the construction of railways, making an increase in the revenues of the Provinces beyond which the House ought not to go. If, however, the Committee determined to transfer the defence charge for Militia and Volunteers from the Provinces to the Colony, he trusted honorable members would be prepared to transfer a proportionate amount of the capitation allowance to the Provinces to the Colony; otherwise he could not see his way to accept the proposal now under consideration. Even then, the Government could not undertake to remodel those measures which the House had already passed, and which were prepared on the basis that the amount now being considered should remain a provincial charge. He was inclined to think that a great deal of the strong local feeling, the emulation, and pride in corps, which contributed so much to keep up a Volun-

teer force, would be destroyed if the House were to make the expense necessary for maintaining those corps a colonial charge. A little emulation in the way he had indicated was very desirable, as was shown especially at the time of the annual prize firing, as any one could see in the pride then exhibited by the Provinces which had sent successful competitors. There was one direction in which the Colony might very well go, namely, in the way of encouraging proficiency in shooting. The climate of New Zealand was favourable to outdoor exercises, and there was nothing to prevent the people of this Colony, with proper encouragement, becoming as skilful in the use of the rifle as the Swiss formerly had been and the Belgians now were. He thought that in the annual prize firing which should take place, although the Colony should limit the payment of passage money to those volunteers who excelled in the local competitions, still, there should be nothing to prevent those volunteers who chose to pay their passages, from going to the place of firing, and taking part in the competition. Such a course as that would tend to encourage the most important element in Volunteering—proficiency in shooting.

Colonel HAULTAIN said it was one of the few mistakes made by the late Government, that they transferred this charge from the general to the provincial account. It was a matter which was forced upon that Government by the Colonial Treasurer, the exigencies of the finances of the Colony at that time having required that it should be so arranged. He hoped that the present Colonial Treasurer would see how great a mistake was then made, and would endeavour—not this session, perhaps, but in a future year—to see his way to make the charge general. He trusted that all the honorable gentleman's anticipations would be so fully realized—the revenues of the Colony would be so much increased—that he would find no difficulty whatever in relieving the Provinces from the burden. There was no doubt, as stated by the honorable member for Coleridge, that nothing which had been done in that House had more injured the Volunteer system than the making the charges for those services provincial. If all the Provinces had the *esprit de corps* of the Province of Otago, and had been willing to encourage the movement, it might have remained a provincial charge; but that spirit of emulation which the Colonial Treasurer referred to, did not exist among all the Provinces in a sufficiently strong degree to stimulate them to contribute to the Volunteer movement in the same way as the Province of Otago did. He thought that the honorable member for Clutha, in his anxiety to prevent this charge being made a general one, was influenced, in some degree, by the consideration that the North Island was to be alone benefited by it.

Mr. MACANDREW.—I was alluding to the Militia.

Colonel HAULTAIN.—The greater part of the charges were for Volunteer services; there was very little additional charge on account of the Militia. He trusted that the Defence

Minister would see his way to allow the resolution to pass. It was recommended by the Committee, and it was understood that there would be no action taken on it this session. It now became the interest of honorable members from all the Provinces, who did not see the necessity of, or felt a very little interest in, this Volunteer movement, to reduce the provincial charges as much as possible. He had no doubt that, when these estimates passed through Committee, they would find the same thing repeated—honorable members from the different Provinces endeavouring to reduce the charges for their respective localities. He had noticed in the estimates which were laid upon the table that, under the head of Militia and Volunteer charges, there was no item for prize firing. He believed the Defence Minister did not intend to exclude such an item from the estimates; and, from what had been stated by the Colonial Treasurer, he was satisfied that the Government would, in a supplementary estimate, bring down the usual amount for prizes for the ensuing year.

Mr. McLEAN said that, with reference to the prizes for firing, the Government wished to afford every encouragement to the practice. In the estimates which would be brought down under the Defence Act, they had raised the sum from £1,000 to £2,500. He thought the mind of the Committee had been sufficiently conveyed to the House by the resolution; but he trusted that the Government would not be embarrassed by continuing this resolution on the order paper, but that it should be left open to a future occasion to consider this question, if necessary. That would be the most convenient course. It would seriously embarrass the present financial arrangements, and would render a reconstruction of the financial measures necessary, if that resolution were adhered to. On that account he would ask the Committee to discharge this resolution from the order paper.

Mr. LUDLAM said it was quite clear that no arrangement could be made this year, because the finance measures had gone so far through the House that they could not be altered; but, at the same time, it was but right that the Committee should express their opinion upon it before the next session. If the Committee said this was the right direction, it would be for the Government to say whether they would adopt it or not. He was disappointed that the Government had not expressed their opinion on the first resolution. It appeared to him that very often these things were brought up, and, although the House might affirm a certain principle as to what was desirable, the Government should decide and say whether they would carry out that principle or not.

Mr. McLEAN said the Government fully concurred in the first resolution, and were prepared to carry it out.

Mr. CRACROFT WILSON, C.B., would ask the Defence Minister to listen to him for three minutes, and he would tell him of one of the results of this resolution passed by the Stafford Ministry. There were some thirty cadets attached to the cavalry corps in Canterbury, and

when they had not a sergeant left to drill them, the corps subscribed to pay a cavalry sergeant £25 a year to attend and drill the corps on certain evenings. He was certain that that expense would not have been incurred by the members of the corps were it not for those thirty cadets. He did not think it was fair that any cavalry corps should be called upon to bear such an expense as that.

Mr. McLEAN.—As far as the Volunteers were concerned, the Government had placed a more liberal sum on the estimates this year, and they hoped the House would support it.

Resolution negatived.

(3.) That a simple drill book should be at once prepared for the use of the Militia and Volunteers.

Mr. LUDLAM said it was considered necessary to have a simple drill book drawn up for the use of the Militia and Volunteers, as the drill book used in the Imperial service was so complicated that it was almost impossible for the men to understand it.

Mr. McLEAN said a drill book of the kind referred to was already in course of preparation.

Resolution agreed to.

(4.) That a course of instruction, however elementary, should be appointed for Militia and Volunteer officers; and that an officer should not be promoted unless certified by competent authority to be duly qualified to direct the movements of his company. Agreed to.

(5.) That it is desirable that Volunteer corps should be put through a course of musketry instruction every year. Agreed to.

(6.) That every militiaman should be supplied with a suitable uniform.

Mr. LUDLAM said he was quite aware that this was a question which would entail some expense on the Colony, and it was, to some extent, a difficult question; but if the Government considered it necessary that the Militia should be called out in the North Island, it was necessary that they should have some uniform. It might be a question for the Government whether it was necessary to call out such a large mass of Militia at the same time, and whether it would not be better to organize the Militia in the country districts, which would entail very much less cost to the Colony than in calling them out in the towns to be drilled. Although it would be an advantage to have the Militia in the towns in case of necessity, still there was not the same necessity for having a large body of armed men in the towns as there was in the country districts. He believed that a uniform which would last a couple of years, which might be obtained for about 25s., would answer very well—a plain uniform of blue serge, consisting of jumper, trousers, gaiters, and a cap, which should be made to last a certain number of drills, would be all that would be required. He could not hide from himself the difficulties there were in giving uniforms to the militiamen, outside of the expense, but still he thought it would be wise for the Government to give the matter a trial in the country districts.

Mr. McLEAN said that the resolution, as it appeared on the order paper, required some

limitation, for, as it now stood, it would apply to all militiamen, whether on active service or not. There should be some definition to the effect that if called out on active service, or for training and exercise, then they should be entitled to a uniform. Of course, there were a great many men on the roll—as, for example, in Auckland, where there were some two or three thousand militiamen, who, for the last six years, had not been out, and who, therefore, should not receive uniforms. No doubt it was a question whether, in the country districts, where the men were more liable to duty, there were just grounds for supplying a suitable uniform. Under any circumstances, the resolution would require some limitation.

Mr. KELLY could not agree with this resolution because it would do an injustice to volunteers, and he thought it was very unfortunate that they should attempt to keep up two efficient forces at the same time. It would be much better to secure one efficient than two inefficient forces. The effect of the regulations with regard to the Volunteers was, that in some districts they were asked to do impossibilities; that was, they were called upon to assemble in certain numbers, and to drill at certain times, or they were not entitled to the capitation grant. That regulation answered very well in thickly populated districts, but in out-districts, where the people lived far apart and were few in numbers, the present regulations gave no encouragement to volunteers. He knew of several districts in the North Island where the men could not get the capitation allowance because they did not comply with that rule, and therefore they could not procure a uniform, which, after all, was one of the chief inducements to volunteers and the best thing to give to the men if it was desired to get them together. When he found that militiamen, without complying with any conditions whatever, were to get a uniform, while it was denied to the volunteers, he could not help saying that it was a most injurious course to pursue towards the latter. With regard to the question generally, he might, however, say that the country had not derived that benefit from the large expenditure on Militia and Volunteers which it ought to expect. Some £12,000 or £14,000 was expended annually on these corps, and nobody could say the country received from them the value of the money. In the North Island they could not get the Militia to go into the field for the protection of the out-settlers from the incursions of the rebels when they crossed the frontier. If they could not get the Militia from the centres of population to protect the out-districts, if their Militia laws would not enable them to do that, what was the use of the Militia at all? They had to depend upon the regular fighting force, and that was the only thing they could depend upon. He thought all that was required, in addition to the permanent defence force, was to encourage a cadet corps, because that would entail no loss of time to any part of the population, and after a few years' drill, when the cadets arrived at a sufficient age to be called upon to act in the field, they would be able to do all that was required without any training

as Militia. As for the Militia law, at present, it was simply absurd. The Government called out men in largely populated districts and the call was not obeyed, as in Auckland, for instance; and in sparsely populated districts the call was enforced. Unless the rule was applied generally throughout the North Island it would be no use whatever. With an efficient Volunteer force, they might let the Militia Bill remain a dead letter. He moved as an amendment, that all the words after "militiaman," be struck out, with a view to inserting the words "shall be paid for loss of time when called out for drill or inspection." If it were necessary to call them out they should be paid, and if it were not, the Government would be saved the expense of paying them.

Mr. BUNNY.—Does the honorable member mean payment for loss of time in addition to clothing?

Mr. KELLY.—No. I would strike out the clothing.

Mr. BUNNY would like to see both the pay and the clothing agreed to. They should either be prepared to pay the money that was necessary to have an efficient force, or they should drop it altogether. He was quite prepared to take either course, but if the House thought it advisable to keep up the force, they must be prepared to put their hands in their pockets to pay for it. There were two things needful, one was to clothe the men in some decent uniform, that they might feel, when they were on parade, that the Colony respected them, and the other was that they should receive payment for their loss of time; 25s. was not sufficient recognition for the services of men who, in some instances, lost two days attending parade in the country districts. In addition to the uniform they should receive payment, and, unless that was done, the whole thing might as well be dropped, for all the money they were now expending on the Militia and Volunteers would be thrown away unless they carried out the system further.

Colonel HAULTAIN did not think that the amendment of the honorable member for New Plymouth Town applied to the resolution under discussion, but appeared to go in a different direction. As one of the Committee he disagreed with the resolution. He did not think, when militiamen were called out for training only a few days in the year, that it was at all necessary that they should be provided with such a uniform as the Government of the country was prepared to give them. Unless some peculiar uniform was given to the militiaman, which could be distinguished from the ordinary clothes which he wore, he would continue to wear the uniform at all times until it was worn out. If they were out for actual service it became a different question, and even then, he thought, it would always be better to give money allowance in lieu of clothing.

Mr. CRACROFT WILSON, C.B., presumed the militiamen were not at drill more than two hours a month, which was twenty-four hours in the whole year, on ordinary occasions, while the volunteers in some parts of the country drilled

two hours a week. He did not consider it a great hardship, unless the men had to travel a long distance. He knew something of the feelings of Englishmen—if they had got good arms and good ammunition, and were allowed to have more firing in their drill than goose step, they would attend more willingly.

Mr. BUNNY said, no doubt in Christchurch, where the population was thick, it was no trouble for the men to meet in the evening, after their day's work was over, but it was different in the country districts, where they had to travel fifteen miles and more to attend their drills. He knew that in his district they sometimes lost two days over a drill; and those men did not go with the same motive as the gentlemen in Christchurch, but went to render themselves of some real service to the Colony in case it should be required. A great number of those men were men who had to work for their daily bread, and who had families, and therefore could not be expected to give their services, and lose their time for nothing. Unless some arrangement was come to for paying the men, he would vote for throwing the Bill out altogether.

Mr. BORLASE agreed with the honorable member who had just spoken, that they ought to pay the militiamen, so that they should not suffer loss; but with regard to the uniform, he thought the men would fight just as well with or without a uniform, and, in fact, that they did not require one.

Mr. McLEAN would move an amendment, which he thought would meet the views of honorable members, and induce the honorable member to withdraw his amendment. He moved that all the words after "militiaman" be struck out, with a view to inserting the following, "when called out for training, or exercise, or for actual service, should be supplied with a suitable uniform." He thought that would meet the case, because it only provided for those who were actually doing duty in return. It was necessary, when the men were called out, that they should wear a uniform dress.

Mr. H. S. HARRISON thought that they should take more care in instructing the men in the use of their arms. At present, weapons were put into the hands of people who, probably, never saw rifles before they came out to the Colony. He believed that a similarity of dress, of the most simple kind, would conduce to the efficiency of the service.

Mr. Kelly's amendment was put, upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	38
Majority against	...	...	...	...	25

AYES.

Mr. Barff,	Mr. McIndoe,
Mr. Borlase,	Mr. Mervyn,
Mr. Bradshaw,	Mr. Ormond,
Mr. Brown,	Mr. Swan.

Mr. Edwards,
Mr. Eyes,
Mr. Kerr,

Tellers.
Mr. Kelly,
Mr. O'Rorke.

NOS.

Mr. Armstrong,
Mr. Baigent,
Mr. Birch,
Mr. Bunny,
Mr. Carrington,
Mr. Clark,
Mr. Collins,
Mr. Creighton,
Mr. Dignan,
Mr. Fitzherbert,
Mr. Fox,
Mr. Gillies,
Mr. H. S. Harrison,
Mr. W. H. Harrison,
Mr. Kynnersley,
Colonel Haultain,
Mr. Macandrew,
Mr. Macfarlane,
Mr. Main,
Mr. McGillivray,

Mr. McLean,
Mr. Mete Kingi,
Sir D. Monro,
Mr. Moorhouse,
Mr. Parker,
Mr. Patterson,
Mr. Rolleston,
Mr. Russell,
Mr. Stevens,
Mr. Tancred,
Mr. Taylor,
Mr. Vogel,
Mr. Webster,
Mr. Wells,
Mr. Williamson,
Mr. W. Wood.

Tellers.
Mr. J. C. Wilson, C.B.,
Mr. Ludlam.

The amendment was consequently negatived.

Mr. McLean's amendment was then put and carried, and the resolution as amended agreed to.

Resolution 7.—That iron targets should be supplied to Militia and Volunteer districts. Agreed to.

Resolution 8.—That ammunition should not be provided to volunteers by the Government without payment, except on the condition that such ammunition should be fired off under the command and supervision of either a commissioned or a non-commissioned officer.

Mr. LUDLAM did not agree with this resolution. At the present time volunteers were entitled to 100 rounds of ammunition, but it was not required that they should be fired off in the presence of an officer. He thought the resolution went too far. When the Government prizes were competed for, it was necessary that the men should be enabled to practice without any drawback, and they should, in his opinion, be allowed to do so without any restriction. If it were required that, on every occasion they went out for practice, they should be accompanied by an officer, it would have the effect of preventing them becoming proficient in shooting. The resolution before the Committee was the only one with which he had disagreed. It would be difficult, perhaps, at times, to get a commanding officer to accompany the men to practice, and the necessity would ultimately arise of appointing officers specially for the purpose.

Mr. CRACROFT WILSON, C.B., understood the resolution to apply to the Volunteers. In that case, he did not think much harm would be done. He was sure a non-commissioned officer would be always found willing to accompany the men to practice. It was his experience that no difficulty was ever found in his district in getting a non-commissioned officer to accompany the corps when going out for practice.

Mr. KELLY quite agreed with the advantage

to be derived from making the Volunteers good marksmen, but there was a class in the district which he represented whose interest, he thought, should be considered, namely, rifle associations, whose assistance at any time would be of great use to the Government. He saw no reason, therefore, why the privileges accorded to the Volunteers should not be given to members of rifle associations. He moved, as an amendment, the insertion of the words "and rifle associations," after the word "Volunteers," and to leave out, after the word "under," the following words: "the command and supervision of a commissioned or non-commissioned officer."

Mr. BUNNY moved that the resolution be struck out altogether, as it would, he believed, prevent the men in some districts from practising at all.

Colonel HAULTAIN said he had always understood the honorable member for New Plymouth to be in favour of one perfect system, instead of bungling over two, but now he would seek to introduce, along with Volunteers and Militia, rifle associations. He would then have three instead of two systems to provide for. Rifle associations were very good in their way, but if they prevented men joining the Volunteers, they did more harm than good. If they desired to practice they could purchase their own ammunition. With regard to ammunition being given out to be used under the supervision of an officer, he thought it was very important. There were so many non-commissioned officers that it was scarcely likely that there would ever be any difficulty in finding one, when required, ready to accompany the corps to the targets and see that the men fired in a proper manner. There was no doubt that a dozen shots under supervision were better than a hundred otherwise.

Mr. CRACROFT WILSON, C.B., thought, also, that there could be no possible difficulty in securing the attendance of a non-commissioned officer whenever it was required. He considered that expeditions to the butts should be always supervised by an officer. When they considered that in the regular service, when firing, a medical man was always present, and when firing for prizes that a field officer was present, it would be admitted that it was desirable that the use of the ammunition served out by the Government to the Volunteers should be under the supervision of an officer of some kind.

Mr. McLEAN did not think there was any great hardship imposed upon the Volunteers in requiring that an officer should be present to superintend the firing. The ammunition referred to was given gratis, and if more was required it was very accessible; there could, therefore, be no harm in passing the resolution, which, in Committee, the honorable member for the Hutt and the honorable member for Wairarapa had been opposed to, but which was carried nevertheless. He hoped they would withdraw any further opposition, as the resolution had been approved by many practical men who were thoroughly acquainted with the subject.

Mr. BUNNY was as practical upon the point

under discussion as any man on the Committee, and he believed it would not work in a scattered district. The remarks of the honorable member for Coleridge only applied to populous districts. But how were they, in country districts, to get non-commissioned officers, who might be residing miles off, to attend Volunteers at morning practice? The thing was not practicable. Of course, in populous places, such as Christchurch or Wellington, there would be no difficulty in getting a non-commissioned officer to superintend the firing. In many cases men practised in the bush preparatory to rifle matches, and they could not possibly comply with such a rule. It would therefore be manifestly unfair to them. He would propose that the whole resolution should be struck out.

Mr. MCINDOE thought the best thing that could be done with the Bill would be to drop it altogether. When they saw so much wrangling amongst majors and all kinds of officers over it, he did not think it was likely to work well.

Mr. LUDLAM thought such an observation came very badly from a member representing the South Island. If honorable members were majors, they were so only from necessity. He differed from him in his opinion that the Bill should be dropped. If it were objectionable, why not do away with the Volunteers and have one thoroughly organized force for the whole Colony? But if they were not to be done away with, they should be placed upon a proper footing. The Volunteer service was a very heavy pull upon those who were connected with it, and it came with anything but grace from one who never heard a shot fired except in peace, to speak so disparagingly of the service. If he had seen a whole population driven from their homes, and walking the roads all night, he would perhaps be of a different opinion. If they were to have a Volunteer service, the House should provide proper regulations for it.

Mr. COLLINS said that, as a member from the South, he had intended to refrain from making any observations; but after what had been said, he thought it was the duty of the House to provide for the public safety, but he did not think that that safety would be provided for if the Volunteers were allowed to go out to practice without the supervision of an officer.

Mr. GILLIES said that, as one having to some extent charge of the peace and welfare of a large district in the North, he could not do otherwise than cordially agree with the remarks of the honorable member for Caversham, while he was quite opposed to those of the honorable member for the Hutt (Mr. Ludlam). He hoped that the House would not be deluded into the idea that in opposing the Militia he was opposing the Volunteers. They had them mixed up together, but he would say that while he was prepared to support the Volunteer movement, he denounced, on the part of the whole Colony, the entire Militia movement under that Bill as a perfect farce, and one which could not be carried into effect. He would ask the House not to persist in calling out a Militia which would not answer to the summons.

Mr. McLEAN pointed out to the honorable member that he was labouring under a misapprehension in thinking that the resolution applied to the Militia. He considered that the Militia had done eminent service to the Colony, on many occasions, in the North Island, and he was sorry to hear a gentleman representing so important a portion of the North so express himself in reference to a body of men to whose service his own Province was so much indebted, even when they had British troops to protect it. He thought the Bill would not be a farce; he believed that it would be a reality; and, to his mind, both Volunteers and Militia were indispensable for the defence and protection of the country.

Mr. H. S. HARRISON thought, in entering upon the discussion before the House, they were only going back to their experience of twenty years ago, namely, that the Militia should be the mainstay of the Colony. As to the question of ammunition, he thought it was not of the slightest importance, because, if the Government did not give the men ammunition, they would buy it themselves.

Mr. MACFFARLANE considered that the honorable member for Mongonui had, in his remarks, aspersed the character of the men of the North. The Militia, though they had complained of being called out more than once unnecessarily, had never shown an unwillingness to respond to the call of duty. With regard to the clause before them, he thought that the difficulty would be overcome by substituting, instead of the words "under the supervision of," the words "with the written consent of."

Mr. GILLIES said he wished to put himself right with the Committee, who, he believed, were wandering from the subject. His observations had been in reply to those of the member for the Hutt (Mr. Ludlam), who had placed both Militia and Volunteers under the one category. He was aware that the resolution referred to Volunteers, and so far he agreed with it, with the exception of two words, "not" in the first line, and "except" in the second; by the omission of these words, the resolution was made to read in an affirmative instead of a negative form. It was not with a view to discouraging the Volunteers that he had spoken, but with a view of discouraging the Militia. He did not want to throw any reflection upon the Militia service in past time. He had no doubt every man when called out would fight for his home and his country. That was not the question. He believed that the Volunteers would act just as efficiently if called out, and perhaps more so, than the Militia.

Colonel HAULTAIN had no doubt that the honorable member was a great authority upon the question; but it was a great pity that he was not in the Province at the time the Militia were called out. The honorable member should remember that, if they were to have Volunteers, they should have a Militia law.

Mr. Gillies' amendment was then put and carried, and Mr. Kelly's amendment negatived.

(9.) That the Government should, as soon as possible, provide arms suitable for cadet corps.

(10.) That, with a view to the gradual and eventual preparation of the whole male adult inhabitants of the Colony for effective defence in time of need, and with a view to the encouragement of the Volunteer movement, it is expedient that the greatest possible encouragement should be given to the establishment and efficiency of cadet corps.

(11.) That it is indispensable, with a view to this efficiency, that the cadet corps should have a regular status, be amenable to the Volunteer Act, and should receive every encouragement, by a liberal allowance being made for uniform, and for those other purposes which are recognized to be necessary to the extension and efficiency of the Volunteer movement.

(12.) That it is expedient, towards this efficiency, that such corps should be established only in towns and other large centres of population, that the members of it should not be admitted at an earlier age than twelve, and that membership should cease on attaining the age of seventeen.

Mr. LUDLAM thought the Government should foster the formation of cadet corps, and look forward to the time when they would be able to dispense with a large portion of the Militia. There was no doubt boys took great pleasure in learning drill; they looked forward to it as a matter of recreation. Unfortunately, the Government had not been in a position to foster these corps for want of arms, and the boys had not been able to fire for prizes. The consequence was that the corps had fallen off.

Mr. McLEAN said the Government would give every facility to the formation and strengthening of such corps, and its action in the matter would depend upon the extent to which the Committee would provide for that service when the estimates were brought down. The Government felt the necessity for making necessary provision for cadet corps, looking upon them as the future defenders of the country. The necessity for young gentlemen being trained to arms was very evident, and the movement would receive all the support the Government could give it.

Resolutions agreed to.

(13.) That it is desirable, with a view to increasing the efficiency of the Militia, and towards making the service more popular with the men, that the Government should, as far as possible, assimilate the organization to that adopted for Volunteers, by granting to militiamen, after a stated length of service in training, certificates of efficiency, signed by the officer commanding the district, on the recommendation of the adjutant, if they deserve them; such certificates exempting the men from attendance at drill except four times a year, or once in each quarter, the men remaining on strength of their respective companies being allowed to retain their arms, &c., and having the privilege of competing for prizes at target firing. Should it be found that the men, holding such certificates, fail to keep up to the standard of drill, the certificates to be withdrawn.

Mr. LUDLAM said the object of the resolution was to make the duty of the Militia lighter than

at present. Under the present regulations, militiamen were required to attend drill for any number of years. He knew of men who had been at drill for ten years, and did not see any chance of being exempt from future drill. The Government should make regulations for placing the Militia, as far as possible, in the same position as the Volunteers; and when the militiamen had learned the drill efficiently, as laid down in the drill book, it should be competent for the officer commanding the district to give them a certificate of exemption from drill, except four times in the year, and that they should be allowed to retain their arms, and to compete at the Government prize firing. The result would be, that the men entering the Militia service would see that, by attending to their duty, there would be a time when they would be relieved from constant drill. The present system was very hard upon the best men. They found themselves placed in the ranks with new men, and saw no period when that constant drill would cease. He would like to know the opinion of the Government upon this matter.

Mr. McLEAN said the Government were very favourable to that view.

Resolution agreed to.

(14.) That it is necessary that the Volunteer Act should be amended with reference to the exemption of volunteers after three years training, and that the Government be recommended to adopt the following principle as regards exemption:—

That volunteers, after three years' training, holding certificates of efficiency for each year, may claim exemption from further training for as many years as they hold certificates of efficiency; that they shall retain their arms, accoutrements, and ammunition, and have the privilege of competing for any prizes at target firing offered by the Government; and that they shall remain on the strength of their corps, but be kept on the reserve list, to be called out for inspection parade four times a year, or once a quarter, and liable at all times to be called out for active service. Should it be found that the men holding such certificates fail to keep up to the standard of drill, the certificate to be withdrawn.

During the time they are entered on the reserved list of any corps, they shall not be entitled to draw capitation allowance.

Mr. LUDLAM said that, under the present Volunteer Act, the volunteer who left his corps might be exempt from Militia drill for as many years as he held a certificate of efficiency. After three years' training he was disbanded from the corps, although liable to be called out for active service, and they lost sight of him. He (Mr. Ludlam) proposed that the volunteer who received a certificate of efficiency for three years should be put on the reserve list of the Volunteer corps, that he should retain his arms and be inspected four times in the year, and also have the right to fire for prizes. When on the reserve list he would not receive any capitation allowance.

Mr. KELLY wished to know if the resolution would apply to persons who had already claimed exemption under the existing Act.

Mr. LUDLAM said it would not have a retrospective effect. No volunteer could retire from the corps so long as he remained in the district. They would always have a body of armed men, instead of dispensing with the Volunteers after a certain time of service.

Mr. McLEAN said the resolution would not apply to past exemptions.

Colonel HAULTAIN said the drilling that either the Militia or Volunteers received in three years did not make them so efficient as to warrant their being exempted from further training; but these resolutions were agreed to by the Committee, and he should not now oppose them, although he thought them very unwise. He would direct the attention of the Government to the fact that if all the men who had served three years were to be allowed to retain their arms, they would require a very much larger supply of arms than were at present in the country.

Resolution agreed to.

Mr. BUNNY said he had given notice of his intention to move, when the House was in Committee of the whole to consider the resolutions brought up by the Committee on the working of the Militia and Volunteer Acts, "That effect should be given to the resolution passed by the House of Representatives on the 25th September, 1867, 'That it is desirable that boys in all schools throughout the Colony should, where practicable, be trained to military drill.'" That resolution had been moved by the then member for Wallace, but no effect has been given to it. It was highly desirable that boys in the various schools should receive some sort of military drill. Boys would enter into it with great zest, and they would thus be preparing to take their place as Militia and Volunteers to serve the Colony in case their services should at any time be required. It was a step in the right direction to enable the people to defend the Colony from either internal or external attack. He would move the resolution, and he hoped the Government would be able to give effect to it.

The CHAIRMAN said he had no power to accept the resolution. He could only take those resolutions that were referred to the Committee by the House.

Mr. McLEAN thought this resolution followed very properly after the last resolution adopted, and the Government would give their attention to it, and revive the resolution of 1867.

Mr. BUNNY thought he was in order in bringing forward the motion after having given notice that it was his intention to do so when the House was in Committee to consider the working of the Militia and Volunteer Acts.

The CHAIRMAN said the proper course for the honorable member to have adopted was to move, while the Speaker was in the chair, that this resolution should be referred to the Committee along with the rest. He was quite satisfied he had no power to put the resolution to the Committee.

The resolutions as amended were reported, and the report ordered to be considered next sitting day.

PUBLIC TRUSTEE BILL.

Mr. VOGEL, in moving that this Bill be read a second time, said that he was sorry that it had not been brought down at an earlier period of the session, but it had taken a considerable time to prepare, and had had to undergo a great deal of examination. The Bill was of a most important nature, and if it passed this session it would not be one of the least results achieved. He must tender to the honorable member for Selwyn the acknowledgment that the idea of the Bill, so far as he (Mr. Vogel) was concerned, originated from a conversation with that honorable gentleman last session, when he expressed an opinion that a measure of this nature was much required in New Zealand. The idea, and the arguments used in its favour by the honorable gentleman, had so much weight with him that he brought the matter before the Government, under whose consideration it had been for some time. He might say that the Bill had been drafted by Mr. FitzGerald, and he believed that honorable members would admit that it was drawn in a singularly clear and concise manner. The Bill would authorize public trust property to be placed in charge of a public trustee. Private persons, as well as charitable bodies, might also vest property in the trustee, subject to the approval of a board, consisting of the Colonial Treasurer, the Government Annuities Commissioner, the Auditor-General, and the Public Trustee. There was also a provision by which the wills could be lodged for security in the office of the public trustee. It was not intended, at first, to give any security to those who might avail themselves of the services of the public trustee, beyond that very large security which, he thought, was to be found in the fact that the Bill provided that there should be annually an exhaustive audit, and that a report of such audit should be sent to the persons interested. He thought that that was a very great ground for security, as compared with the existing practice, by which those who were interested might remain for years without any adequate knowledge of the state of trusts. The audits would be of what he might term a twofold character, because the report of the public trustee was to be given into the hands of the Auditor-General, who was to forward it to the persons interested, with such remarks upon it as he might think it necessary to make. The trustee would not be held to be unaccountable for wilful neglect or default. He believed that the Bill would supply a want which had been felt, not only in this country, but in England. There had always been great difficulties in the way of legislating in the matter, and he was not prepared to say that the Bill, if it were passed, would be at all perfect. If such a measure were initiated, they would be able, from experience, to make it more efficient from time to time. It must be borne in mind that in a country like this the want of a public trustee was felt to a

much greater degree than in older countries, where there was, comparatively, a much larger number of persons who were able to undertake the responsibility of trusteeship. Honorable members must be aware that it was very difficult to obtain trustees for wives and children, or executors under wills, with sufficient time at their disposal to do justice to the task; and even when, after some difficulty, and a great sacrifice to friendship, such trustees were obtained, no one could be sure that, in case of death or removal, their place would be well supplied. In many cases, very large and important trusts devolved upon a sole trustee through the failure of others who had been appointed to act with him. It was hardly necessary to remind honorable members how very considerable, in a Colony like this, were the fluctuations of property; indeed, it was not an uncommon occurrence that persons who had the sole and undivided control of trust estates, were tempted, in moments of difficulty, to make only temporary use, as they intended, of the money, and then, little by little, they continued to betray their trusts, until the saddest results followed to the persons who were interested. He was only briefly indicating innumerable cases which had occurred in the colonies, where minors believed that they would come into large properties on attaining their majority, but found, when that time arrived, that the trustees had made away with the same, and that they were almost penniless. That was a history of very frequent occurrence; so much so, indeed, that he believed very many wealthy colonists realized their properties because they could not satisfy themselves that they could will them away with security to their children. The necessity of changing trustees was frequently productive of very considerable expense, because, although under the Conveyancing Ordinance there was no extra cost for the conveyance, yet the transfer must be effected by a deed of a very extensive and particular nature, which involved great expense. It was in the nature of a trust extending over a series of years, that there should be many changes. Under an Act of the kind proposed there would be no such expense, as the trustees would be a corporate body, and no transfer would be necessary. A Bill had just been passed through another branch of the Legislature—the Land Transfer Bill—which placed a large extra power in the hands of trustees, and he hoped that Bill would meet with the approval of the House. He might say that it was one of the difficulties of that Bill that, in order to give indefeasible titles to land, the land must be sold clear of all trust obligations. If these two Bills were considered in their relation to each other, it would be seen that, although under the operation of the Land Transfer Bill, there would be no protection against the fraudulent action of the trustee, still, by the Public Trustee Bill—which was, he might say, voluntary and not compulsory—full security might be obtained by the employment of the public trustee. It might be said that the principle of this Bill had been, to a small extent, recognized in the Intestate Estates Act, under which the cura-

tors had power to deal with both real and personal property, and in which there was a provision by which they might be made executors under wills. Necessarily, such a provision had not been taken advantage of, because curators were officers liable to be constantly changed. He had made his remarks very brief, and he had no doubt honorable members would say that those remarks were somewhat bald, but it was not worth while to make a long speech to honorable members who were not prepared to listen to it, and he had considered that he should be consulting the wishes of honorable members if he simply ran through the heads of the Bill as briefly as possible. He believed that many honorable members were perfectly aware of the advantages likely to result from the adoption of this measure. A question might arise as to whether the machinery was of a sufficiently comprehensive and stringent nature. All he could say was that the greatest possible trouble had been taken, with the view to make the measure as efficient as possible, and he would ask honorable members to hesitate before they attempted to amend it. No doubt, many happy thoughts, if he might be allowed to quote from *Punch*, would strike honorable members as to amendments which, in their opinion, might be made. Of course, it was easy enough for any honorable member to get up and propose, off-hand, an amendment, but some of those who were so ready to suggest amendments did so without having first read the measure which they proposed to amend, or without considering the manner in which certain clauses hung together. He would ask honorable members to pass this tentative measure and to see how it worked. From its very nature it could not do harm. It was not likely that any great operations would be carried on under the Bill during the next two or three years, but, no doubt, in the course of time, its operations would be of a very extensive character. He thought they would find that a large number of persons would take advantage of that portion of it which allowed the public trustee to become executor under wills. He believed that many persons residing outside New Zealand would be induced to invest in the Colony, when they knew that their investments could be properly protected. He believed that persons at home had sometimes found that properties which they regarded as safe in the hands of agents, who they believed would protect them to the utmost, had passed away from them without their knowing that such was the case; and he also believed that when this measure came to be understood, it would be the means of bringing a large amount of capital into the Colony.

Mr. STEVENS said he did not know that the House was prepared to listen to any lengthened remarks. He would like, however, to add his testimony to that of the Colonial Treasurer as to the probable advantages which were likely to result to the Colony from the passing of this measure, and he could not pass from that part of the subject without expressing his satisfaction that he had, in some degree, been instrumental in the introduction of a Bill which, in the course

of a few years, would create that confidence in the public mind in regard to trust estates which, in its absence, it would very probably have been impossible to inspire. In his opinion the Bill, in regard to its general principles, would be of the highest value to all those who were likely to be possessed of any trust property; although, by being more or less critical, it might be possible to amend it. If the House would permit him to do so, he would make a few remarks regarding what appeared to him to be the leading features of the Bill, and whilst doing so he would endeavour to avoid repeating the introductory observations of the Colonial Treasurer. For some time past there had been a class of estates which had met with scarcely any attention whatever. He alluded to those which belonged to lunatics, and which came under the operation of the Act of 1868. There were, in Canterbury alone, as he stated last year, on the information of the registrar of the Supreme Court, ninety-six lunatic estates, and they were represented as not being under satisfactory control or administration, and that it was impossible to apply any business control to the management of them. He apprehended that the Government intended to treat these estates as estates coming properly within the management of a public trustee; but, whether that was the case or not, they would eventually be placed under the control of that office, and he also thought it would be admitted that intestate estates would be very much more satisfactorily dealt with if brought into an office of this nature, rather than being dealt with in an isolated and comparatively uncontrolled way. There also appeared to be a provision that trust estates could now be placed in the hands of a public officer, who should be responsible, not only for the principal in his hands, but also for the investment of any trust money which might arise either on the realization of property, or which might be placed in the office by any person for the benefit of a family or others. He had had great experience in regard to the disposal of property, and he might say that, at the present time, there was absolutely no satisfactory provision by which any person in the Colony could feel assured, at the time he made his will, that his trust property, and the persons whom he might desire to benefit by the accumulation of his savings, would benefit to the extent he anticipated, or that security for any lengthened time would exist. The value of property fluctuated considerably. At one time perhaps it was of a high value in the mind of most men as compared with what it might be now, or with what it might prove to be hereafter, and he had seen such losses arise upon trust property, particularly with regard to mortgages, that he had been sometimes greatly alarmed at the consequences which might arise to persons interested in trust money. He had known losses to the extent of 75 per cent. on the principal of mortgages that had been taken by trustees; and many other losses had occurred, although the persons interested were fortified by the opinions of agents accustomed to deal with such matters. The provisions of this Bill

would not give a complete security, because it was not intended that there should be a liability on the part of the Colony in respect of loss of investments; yet, under the Bill, greater caution would be exercised in respect of investments than when property was placed in trust, as now done, because it was intended that no money should be invested without the sanction of a board which would be appointed under this Bill. He could not say that he altogether approved of the composition of the board, but he believed it would answer every purpose for the present. There was also another advantage in connection with the Bill, namely, that it would be competent for an executor, through the public trustee, to invest trust moneys in colonial debentures, as was now done by the custodian of the public trust fund. For instance, when the Government required to float treasury bills, they occasionally invited the co-operation of the Controller of Public Accounts, and he advanced to them a sum of money upon their treasury bills. Therefore the Colony, in a financial way, would be likely to derive advantage. The principal difficulty which he felt would have to be overcome, when he suggested the plan of this Bill to the Colonial Treasurer, was to see how the security of the Colony could be given to persons desiring to establish trusts of this kind, whilst, at the same time, the Colony should avoid undertaking to pay more interest than would be desirable or convenient, or more than it would be obliged to pay in any other market. The Government, however, had met the difficulty in this way: they had made a provision which merely left it open to the trust office to make such investments, if desirable, and if an agreement could be made with the Colonial Government by the public trust office. He thought that, all things considered, that was the most judicious settlement of the question. The honorable member had touched upon the question of the risk which was now run through the malversation of trust money, which was the most important item they had to consider in regard to trust estates. It was notorious that trustees were not so particular, as a general rule, as they might be in the care of the money which was placed in their hands, and in the proper application of it in the manner intended; and there was no doubt that a great deal of suffering had been caused in many parts of the world by the want of care in this matter. He had known many instances in this Colony, and had heard of them in the neighbouring colony of Victoria, in which persons had lost everything from this cause. He had one gentleman in his mind, with whom he was intimate, who, when he reached the age of twenty-one years, was under the impression that he was entitled to receive an income of £2,000 a year, but who, instead of being in that position, found himself in possession of something under £100 a year, simply because the trustees of his property had carelessly and, more or less culpably, neglected to use proper care for the investment of the money. What protection had a person placed in such a position? He had recourse only to the trustees, who, in this case, and generally in similar cases,

were insolvent, and the minor, on attaining his majority, found himself penniless when he should have been wealthy. He found that the Bill provided for a due system of audit, and he considered the system proposed all that could be desired. The auditor exercised almost daily control over and checked the public trustee in the most complete manner, and the property which was placed in the public trust office would be approved by the auditor in every case. He thought that when a public officer of such standing as the Auditor-General was introduced into the management of the affair, as a check upon the public trustee, there would be ample security for the public. As regarded the due management of the office, there seemed to be sufficient provision under the Bill. It might be said, no doubt, that the office of public trustee would be best made one of those which were held "on good behaviour," somewhat in the position in which the judges of the Supreme Court stood, so that the public would run no possibility of their interests being neglected through any possible misconduct on the part of the Ministry of the day. He was not prepared to go into any argument on that subject, but was willing to accept the proposal of the Government, namely, that the Ministry should be responsible. As he read the Bill, the Colonial Treasurer was the person responsible, which meant the Government. He thought, all things considered, that was the best course to take, and if, at any future day, it was found that that large question was necessary to be imported into the Bill, it would be time enough to do it then. He would have been glad to have heard from the honorable gentleman—although it was almost too much to expect—whether any plan had been developed for the application of this Act to places at a distance from the seat of Government, because he thought the Government would find, if the Bill were taken much advantage of, as he thought it would be, that there would require to be a very close inquiry into the value of property in different parts of the country placed in the public trust office. He presumed the Government would make due provision for being properly advised on this point. He did not know that local agents, who should be subject to the public trustee, would be required at present, or that travelling inspectors would be necessary; but he thought the Bill would be largely taken advantage of, and that the Government would see, before long, that they would be obliged to have some very stringent provision for informing the trust office of the fluctuations in the value of property in all parts of the Colony, and, generally, as to the position of all estates put into their hands. He was aware that this was a matter which would have to be dealt with after they had had some experience of the working of the measure, and he thought it would be a mistake to reject the Bill in consequence of the absence of provision in this respect, or to complain of the want of such provision to secure the immediate working of the measure in the various parts of the country. He did not propose to detain the House any longer, and he would simply urge upon the Government that, as he

believed the House would accept the Bill, and as it would produce the best results to the community, there should be no laxity in the matter of giving publicity to the fact that persons desirous of benefiting their families and creating trusts in favour of individuals by will, could do so and send the document up to the public trustee's office, where it should lie sealed, under a heavy penalty in case of breach of trust. He fully approved of the principle that there should be a public board of responsible and efficient men, of high character and business habits and experience, who would be able to assure people of the faith of the trust office, so that, for the first time in this country, men wishing to leave their property to their families before quitting this life, should feel none of the doubts which now existed, and which, in his opinion, produced very unfortunate results, not only in this Colony, but in almost all parts of the world.

Mr. WEBSTER must say that of the many measures which they had taken part in passing during the present session this was the one which afforded him the greatest gratification. He took it that, in pure domestic legislation, this was one of the most beneficent acts they had ever undertaken in this country. It was purely of a domestic character, entirely divested of all party feelings, and solely meant as a benevolent action for the benefit of the wives and children of the people of the Colony. If it were carried successfully to its legitimate end it would be immediately and largely taken advantage of throughout the whole country. It was gratifying to him that this question had been brought forward during his first attendance in the House, inasmuch as he had already taken some action in a somewhat similar Bill which was endeavoured to be introduced about ten years ago in Victoria. He and a friend of his, a gentleman well known in Victoria, drew up the basis of a Bill of a somewhat similar character, but he was sorry to say that the objections of certain legal authorities rendered its admittance by the Legislature very difficult, and the only concession they obtained was the admission of that very clause in the Curators of Intestate Estates Bill which the Colonial Treasurer had alluded to, by which the officer holding that position was empowered to act as an executor. That was the only concession made to any colonist not having a large circle of friends and acquaintances, or whose friends and acquaintances were not in that position in which every man would like to see the persons to whom he would intrust his property when leaving it to those most dear to him. He did not say that he altogether concurred in the machinery proposed by the Colonial Treasurer for the working of the Bill, but he fully indorsed the principle. There had been many efforts made, both in England and in other parts of the world, to arrive at this desirable end. There had been companies, with large proprietaries, established in England to act as executors to widows, but he need hardly say that the difficulties which surrounded the breaking up of the habits of any old country were so great that it had

been found nearly impossible to put the plan into execution. On the other hand, he ventured to say that here, free as the people were from all those trammels, they might hope to introduce the system with every prospect of success, and the sooner they passed some such measure as that now before the House the better it would be for the good of the country. He would, therefore, most heartily support the Colonial Treasurer in the second reading of the Bill, and, although the honorable gentleman deprecated amendments, he (Mr. Webster) thought there were some of such importance that the House would consent to their being introduced. He would suggest one or two that struck him particularly, in order to see whether they might not fructify in some way, so as to cause, perhaps, better suggestions than his own. They had attempted, in various ways, to legislate for the benefit of the people, and, amongst other measures for that purpose, they had introduced savings banks, insurance, Government annuities, and various matters of that kind, in which the Government take the whole of the responsibility and care. Had he not a right to appeal to the Colonial Treasurer, that if the Government were prepared to take charge of, and become responsible for, the savings of the inhabitants of the country, and of persons who were there to press their claims, they could not deny to the widow, the child, or the minor that same security? He really thought the Government would not be stepping beyond its limits if, by appointing officers who would be gentlemen of the very highest position in the country, and from whom the Government might exact the very largest security, a man on his deathbed should know that the property of his children would be secured from fraud, and that, though the acts of trustees might sometimes be such as was common to all human proceedings, and the investments which they make might not always leave a profit, it would be the same with public trustees as it would be with any trustee appointed privately. He did not ask the Government to secure them from that risk, but from the risk of fraud. He thought it right and proper that it should go abroad to every one who chose to take advantage of the public trustee that, at any rate, their estates would be administered with justice; and he thought that when the Colonial Treasurer looked over that proposal again, he would accede to it, and that the House would accede to it also. He would suggest to the Colonial Treasurer, when in Committee, to alter the composition of the board, which was proposed to be the consulting board of the trustee. He did so, because he thought that the officers proposed were officers who, though holding high positions, would be perpetually changing from those positions. The Attorney-General, for instance, was an officer who might come in one year and go out the next. Besides, the very nature of his position was such that he was too full of the anxieties and cares of his office to devote the necessary attention to his duties as a member of the board. And so

it was with all the officers proposed to be appointed. It was proposed in the Bill that the trustee, on all occasions, should go and consult the board, three of whom should form a quorum, and, as it was a matter of impossibility that any one of those officers could know anything about the estates upon which he was consulted, or have the slightest interest in it, it would be mere legal points, and points of moment, that he would be able to give an opinion upon. He would rather that the board should consist of the working heads of departments, but he would still more prefer that two trustees should be appointed at once to act as a board with the Attorney-General, and in such case to have trustees, who would have a perfect knowledge of the difficulties which had arisen in connection with each particular estate, and be able to carry on the whole transaction satisfactorily. Moreover, officers like Attorney-Generals and Annuities Commissioners—excellent as they might be in their own departments—were not altogether the persons whose knowledge would be such as to make them most competent to act as executors or trustees. In many cases, men, at the time of their death, were carrying on transactions of some kind, and those trustees would be called upon at once to act, not with a knowledge of law only, but with a practical knowledge of business, to enable them to complete those transactions and wind up the estate in a most satisfactory manner. He doubted whether the heads of the departments in the Government service were exactly the kind of men who would be best fitted to give advice on matters of ordinary business. He had happened to have been engaged, for eight or ten years, in winding up large estates, and he felt some little confidence in saying that about the worst person to consult on matters of that kind would be an Attorney-General. He spoke with all deference to the Colonial Treasurer, whom he was perfectly aware had a large knowledge of business, but on that particular point he could enforce his argument by experience. There were several other minor matters which he would press in Committee, but which he would not trouble the House with at that moment.

Mr. GILLIES very much agreed with what had been said by the honorable member for Selwyn and the honorable member for Wallace as to the necessity of some such measure as the one which the Colonial Treasurer had proposed. He agreed with the principle of the Bill very thoroughly, but he thought that the Bill itself, as it had been placed before them, was not such a Bill as would work out the ends which the honorable member for Selwyn and the honorable member for Wallace would wish to see accomplished. He trusted that the honorable member for Wallace would not include him in that category to which he referred in the case of the Bill which he had assisted in drawing up in Victoria, and which was made difficult to be carried out by the legal objections thrown in the way, for it was not with any idea of throwing legal objections in the way of the Bill that he spoke of it now. He spoke of the Bill, not as a

legal critic, but as a legislator looking at it in view that it was to be dealt with by legal critics; and in that view he must say that he did not think it would be efficient in carrying out the object which it was intended to carry out. He quite admitted that a great difficulty had been felt in the country, as in all new countries, in finding trustees who were able and willing to carry out trusts that were committed to them. The migratory character of the inhabitants was such that trustees were here to-day and away to-morrow, and there were various other circumstances which rendered the difficulties of carrying out trusts greater in this than in an old country. At the same time, he did not see the force of some of the arguments adduced by the honorable member for Selwyn. Those with regard to the depreciation of property did not appear to him to apply at all, because an estate in the hands of a public trustee was quite as liable to depreciation as an estate in the hands of a private trustee. In fact, to his mind, the former was more liable to depreciation than the latter. A private trustee, he thought, had a more intimate knowledge of the fluctuation of the markets than any public trustee could possibly have. Suppose, for instance, that in the Provinces of Canterbury, Otago, or Auckland, an estate was vested in the hands of a public trustee, and that he invested the savings on mortgages in those several Provinces, he would be less likely to know the fluctuations which would occur, and less likely to guard against the depreciation in the value of the securities, than a trustee that was on the spot, and who had an interest in the family of the person who had conferred upon him that trust. Still, he merely said that in regard to the argument adduced by the honorable member for Selwyn, and was not adducing it as an argument against the Bill at all, because he thought there were other defects in the present system of private trustees that rendered a Bill founded upon the principle contained in the one under discussion very desirable. He gave in at once his adhesion to the principle of the Bill, which was to have a public trustee to whom private persons desiring to create trusts might commit their estates. But, at the same time, he considered that a Bill of that nature ought to have much more consideration, not only from the House, but from the country at large, than it could possibly have if it were passed immediately, as was proposed. He was aware that the Colonial Treasurer had stated that a great deal of trouble and pains had been taken in preparing it, but he could only say for himself, and he warned the House, that if the Bill became law in the shape in which it was presented to the House, that trouble and those pains would be utterly thrown away; and he said most advisedly, having carefully considered the Bill, and studied its provisions, that if it were to pass in its present shape, and he should not attempt to make amendments in it, it must do one of two things. It must create offices without results, or else, if it did have results—if it were to be brought into operation to

any appreciable extent—it would simply work mischief. He would presently point out some of the points in which it must necessarily work mischief if passed in its present form. He hoped the House would understand that he was not depreciating the principle of the Bill. He should like to see a Bill of this nature well considered, not considered by one man,—by an Attorney-General, whom he held in as little repute as an administrator as the honorable member for Wallace did.

Mr. WEBSTER begged the honorable member's pardon. He did not refer to the present Attorney-General. He said an Attorney-General as a business man.

Mr. GILLIES assured the honorable member that he (Mr. Gillies) did not refer to the present Attorney-General, whom he held in as high repute as he did most members of the profession. But he said that, as a rule, the mere fiat of an Attorney-General in regard to an Act, unless he was in the House to discuss it and to be able to deal with the clauses one by one, was a very small thing indeed. He held that no man in the legal profession could prepare an Act of the kind properly in his closet. It was only by communing with various minds that he could become master of the subject with which he was dealing. While he admitted the advantage of having a public trustee, it seemed to him to be asking too much of the House to accept the Bill, without the House, the country, and the legal profession having had an opportunity of discussing it. They had had the Bill before them only a few days. He had given it his best attention, and it seemed to him that the main object of it was to appoint a public trustee at a salary of £800 a year, and a board in every Province. There was a provision empowering the Governor, or rather the Government, to appoint boards where such might be deemed necessary. And for what purpose? There were two purposes in the Bill. One of those was to deal with public trusts. To that he made no objection, but when they came to private trusts he wished to point out the utter weakness of the whole Bill. He thought it would be found to fail by members of the House and by the legal profession generally. He would direct the attention of honorable members to clauses 13 to 16 inclusive, and ask them to go through them with him shortly. Those related to private trusts. Clause 13 provided that private trusts might be placed in this public trust office. "Any private person, public or other company, or charitable or other public body, might, subject to the provisions of the Act, place any property belonging to, or vested in him, in the public trust office, by deed or will, conveying such property to the public trustee." There was the mode of private persons placing it in the public trust office. By the next clause it would be found that the public office was not bound to accept the trust of any private individual. Under clause 14 a board was appointed, consisting of the Colonial Treasurer, the Government Annuities Commissioner, the Attorney-General, the Auditor, and the Public Trustee. He would not quarrel about those

gentleman being impractical in their views as to the best way of administering a trust. But, putting that aside, the board was to decide whether they were to reject or accept the trust. What happened next? Notice was to be given. When any deed, or power of attorney, or any will was accepted, the public trustee should forthwith send a written notice to such person executing such deed or power of attorney, or appointed executor under such will, and when the trust was rejected the trustee was to notify it in the *Gazette*. He would ask honorable members to read clause 16 and see what was the result. When any deed, will, or power of attorney, was rejected, the same should be deemed to have been, *ab initio*, null and void.

Mr. VOGEL.—That is a mistake. The power of attorney is meant to be null and void. It is correct in the margin.

Mr. GILLIES said the words of the margin were: "If rejected powers null and void;" that was the powers of the private trusts. If there was a clerical error he wished the Colonial Treasurer would explain it. He had not done so when moving the second reading of the Bill. It seemed to him to be in keeping with the whole Bill.

Mr. VOGEL.—A power of attorney is executed, and if the person in whose favour it is executed declines to act, that power of attorney becomes void.

Mr. GILLIES said it was not the power of attorney merely, it was any will or deed. The words were as already given, and meant, "When any such deed, will, or power of attorney, made in favour of the public trustee, had been rejected by that trustee under the advice of the board, then it was not simply that the appointment of a trustee should become void, but that the deed or will, and all trust under the deed, should become, *ab initio*, null and void."

Mr. VOGEL.—I tell the honorable member that is a mistake. As soon as the board has decided that the trustee should not accept the trust, thereupon he would have no power to do so, and that power, so far, is null and void.

Mr. GILLIES said that if such were the meaning of it, he could not understand the trouble and pains that were taken to draw up the Act.

Mr. VOGEL.—As far as the public trustee is concerned.

Mr. GILLIES believed it would have just the same effect. He wished the Attorney-General were in the House to discuss the matter with him. It was perfectly useless for the Colonial Treasurer to try to discuss a Bill of that kind with him. It was utterly contrary to what he (the Colonial Treasurer) appealed to so often, namely, common sense. He would put it to the common sense of the House, and he thought honorable members would see that what he said was true. It was not with a view to finding fault with the Bill that he made these remarks. He would be glad to see a well-considered Bill on the principle proposed brought in, but he objected to the introduction of so important a measure, at such a stage of the session, without any opportunity being given

for its consideration. It would be a mistake for the House to pass the Bill merely with a view to seeing how it worked. It was not sufficient that they should be told it would not do any great harm; that those who did not like it need not use it. If that argument were of any force, the Bill would keep until next session. There were some provisions in the Bill which seriously affected the laws of property. He was not quite sure the honorable member for Wallace understood that this Bill did not guarantee the fidelity of the public trustee in any way whatever—it merely put the public trustee in the position of a private trustee. It was a security merely in regard to his unlawful doings, and a security to a very trifling amount compared with the estate that would be vested in him. By clause 41, the public trustee was not to be liable for anything lawfully done by him in error of judgment, or for any mistake he might make, but only for those things which he might do illegally, and he was only personally liable in regard to those. The Government was not liable for anything the public trustee did under the Bill—they were not liable for his legal or illegal acts. Probably the intention of the Government was different, but they had mistaken the effect of the Bill itself. Of course, as he agreed with the principle of the Bill he should support the second reading, so as to affirm the principle which he thought a right one; but he trusted the Government would not press it through this session in its details, for there was no opportunity for members to consider the details of the measure. The members of that House—and he did not say it through discourtesy—were not altogether qualified to judge exactly of the legal operation of the Bill, which affected one of the nicest branches of law—that of the duties of trustees, and how those duties were to be enforced in equity. The House was not well qualified to judge of that without having a long time to consider it. The Government should be content with taking the assertion of the correctness of the principle of the Bill, and leave the passing of it until next session, taking care to have a carefully prepared Bill submitted to the country, so as to have the criticisms of those who would be able to give a well considered judgment as to how the objects of the Bill were to be carried out. He might criticize the details of the Bill very much, more, but it was not his desire to throw discredit upon the Bill at all. His desire was merely this: to point out that, while the principle of the Bill was right, it wanted very much more careful consideration than was evidently given to it by the person who drafted it. If he thought this Bill would carry out the views and wishes of the honorable member for Wallace—that of comforting the minds of men who would thereby think their property was secure to their wives and children—he should only be too happy to support it; but he was satisfied the Bill would not succeed in effecting that object, and he really hoped the House would ask the Government to postpone the consideration of the Bill until another session.

Mr. MOORHOUSE was sorry he could not agree with the honorable member for Mongonui in the desire that the House should postpone the passing of this Bill. He was anxious that it should be immediately passed. In its passage through Committee they would have at hand the best legal ability in the Colony to guard them against the commission of such technical mistakes as might be pointed out in a great many Bills. Such a measure would be a very great boon to the Colony. He was glad, indeed, that it would have the assistance of the honorable member for Mongonui. He spoke with the utmost deference to the very superior legal opinion of that gentleman. He was quite sure there was not a very great deal of trouble in drafting a Bill of this sort. He was glad to observe that care had been taken to provide for a reference to the Supreme Court when any case of difficulty arose. He hoped the House would not consent to the postponement of the measure.

Mr. FOX said the honorable member for Mongonui seemed to have acted upon the advice given by Archbishop Whately, especially to young debaters, when they had no other arguments to urge against a question, to pronounce it premature and propose to put it off until a more convenient season. That was the stock argument of those who had no real objection to urge against a measure, and that was the only argument which the honorable member had urged. The honorable member had criticized the Bill, but had not given a satisfactory reason why they should not proceed with it, except that his own mind was not quite made up to the details of the measure. But he seemed to forget the existing state of things. Even if there were some slight flaws in the measure, and it was not so perfect as it might become by emendation, was it not better to pass it than to remain in the position they now occupied. The only objection of a positive character which the honorable member made was as to clauses 12, 13, 14, 15, and 16. Of course, the clerical error in the two last lines of the latter clause was quite apparent, and if the honorable member had carefully read clause 16 of the Bill he would see that it must necessarily be a blunder, as it was inconsistent with the terms of clause 15, which directed that when a board should reject any trust which was proposed to be created under this Bill, by deed or will—in case of deed the board should hand back the deed to the grantor, and, in case of will, hand it over to the executor of the person entitled to receive the same. If the deed or will were to be absolutely null and void, it would be absurd to hand it back to any person to take charge of; it would not be a deed or a will at all. The honorable member should have seen that it was a mistake which could be easily rectified by the insertion of a few words, so as to give it the meaning which it was apparent it should have. That was the only objection that the honorable member had to the Bill, and he should not call upon the House and the country to postpone the passing of the Bill for another twelve months, in consequence of a mistake which could be easily rectified. He (Mr. Fox) trusted

the Bill would be found sufficiently perfect to enable the Government to put it in operation. The people of New Zealand would not be rushing property into the trustee's hands in one day; they would be gradually getting experience as to the manner in which the Bill would work, and it could be amended, from time to time, as defects were found to exist. The measure was purely voluntary, and if any person did not like the security they might leave it alone, until such security might be created as circumstances might appear satisfactory to them. Honorable members had admitted the unsatisfactory state of trusteeship in the Colony at the present time. He had read, only the other day, an anecdote in a paper of a small boy—an American—who was asked by his mother—"Well, Johnny, what trade would you like to be?" Johnny replied "a trustee;" and, on being asked the reason, he said, "Because, ever since my father was a trustee we have had two puddings on the table, whereas we used to have none." That little anecdote was illustrative of the unfortunate class of circumstances which but too often attended the creation of private trustees. The passing of this Bill would remove those evils connected with trust property, and would confer a benefit upon the Colony.

Mr. BRANDON concurred in the establishment of public trustees, but thought that the present Bill went too far if public trustees were to be empowered to receive money from private parties for investment or management for their own benefit. For special purposes, the Bill was a movement in the right direction. He did not think the public should depend entirely upon the guarantee of the trustee himself, but that some provision should be made by which the guarantee of the Colony should be given to secure the parties against any maladministration or misapplication of the funds. He thought he could almost agree with those who spoke of the necessity for postponing the Bill until another session. As, from some reference to certain clauses, a doubt had been raised as to the amount of care and trouble which had been expended upon the Bill, he presumed that the Government would not ask to have it committed before Tuesday, so that honorable members who were desirous of improving it might have an opportunity of suggesting any alteration which they might think desirable.

Mr. VOGEL said that the support and the opposition which the Bill had met with were alike gratifying to him, as both were strong evidences of its useful character. The honorable member for Wallace had suggested that the Government should guarantee the honesty of the trustee. His own inclinations were much in the same direction, but he thought that it would be desirable, in the first instance, to pass the Bill in such a shape that a provision of that nature might be added at any time, rather than to make it so stringent at first that it would have to be relaxed afterwards. He thought that when they saw that the measure worked well, they might arrange for an assurance fund, or some other means by which a guarantee could be provided. He did not feel disposed at first, when the busi-

ness would be small, to give more than the large guarantee which a yearly audit would afford. The *cestuique* trust would, under this Bill, enjoy an enormous security as compared with that which he would possess under ordinary circumstances, because the trustee would be an officer of very high position, in receipt of a large salary, and under the control of a board, while, at the same time, there would be a frequent examination and a periodical report. The honorable member suggested, also, that there should be an alteration in the composition of the board, but he somewhat mistook its nature. It was true that the board must decide, in the first instance, whether it would accept the trust, but it would have the assistance of the Attorney-General's advice, and, if need were, could submit a case to the judge. It was certainly no part of the duty of the board, as had been supposed by the honorable member for Wallace, to assist in carrying out the duties of the trust. Those duties would be performed by the trustee. The stipulation that there should be no sale of land without the approval of the board, was to prevent the trustee from divesting himself of trust lands without the knowledge of the board. The trustee would be in the position of a corporate body, and if he disposed of a trust without the consent of the board, the transfer would be invalid. It might be necessary in course of time, when the operation of this Bill would become very large, to appoint another trustee, so that the two might act concurrently.

Mr. WEBSTER.—Clause 23.

Mr. VOGEL.—The power to approve of the securities in which money might be involved, was a provision inserted in most Acts of the kind.

Mr. WEBSTER.—That meant that every transaction in each estate should be referred to the board, both in respect to the acceptance of the trust and the investment of the money, which would involve an enormous amount of trouble.

Mr. VOGEL could assure the honorable member that he was mistaken, and that it only referred to the nature of the investment in which the trustee might place the money. It was not the intention of the Bill that the estates should be worked out by the board. The honorable member for Porirua had also spoken of the guarantee, but he thought the honorable member would be satisfied when he assured him that the matter would be well considered in the future; indeed, it would require so much careful attention that he should be loath to introduce it into the Bill now. He could not consent to postpone the committal until Tuesday, because, if the Bill were not accepted substantially as it stood, it had better be thrown out. He had read it himself at least a dozen times. It had been revised and re-revised, and there was no doubt that amendments which were hastily introduced rarely failed to make a Bill unworkable. The opposition of the honorable member for Mongonui had confirmed his impression in favour of the Bill. There were lawyers and there were lawyers, as they had proof in the honorable member for Mongonui and the honorable member for Christchurch, who sat side by side. There

was an old fogley school, which could not tolerate anything which it looked upon as an encroachment on the rights of the profession; and there was the modern school, which recognized the necessity for reform, and gladly welcomed it. He could have been positive that the honorable member for Mongonui would have opposed this measure, and that he would have done so in his usual ingenious manner, commencing by stating that he approved of the principle of the measure, thereby, as it were, insidiously stealing into the confidence of those who were against him, and then tearing it to pieces, bit by bit. The moment the honorable member approved of a measure, he was certain he was going to attack it, and he never supported anything the principle of which he approved. It would be just the same with the Land Transfer Bill; so sure as he (Mr. Vogel) now saw before him the faces of honorable members who approved of it heartily, so surely would the honorable member tell them that he approved of it, and then proceed to get it amended, or, in other words, thrown out. What would be the effect if the Bill were not passed this session? He knew, as well as possible that the honorable member, and others of the same school, would join in an organized opposition; and perhaps render it impossible to pass the Bill in a future session, whereas, if it were left to other honorable members, who were unfettered by those narrow considerations to which he had referred, there could be no doubt as to the result. What had been the case with Torrens' Act in South Australia? There was such a tremendous opposition to it that it was necessary to go outside the profession, and appoint land-brokers to work the Act. This was another measure which they might be certain would be opposed by, he was sorry to say, a section of the legal profession. The honorable member for Porirua and the honorable member for Christchurch had shown them that such would not be so in every case, but it would be so in respect to a considerable section of the legal profession. The honorable member for Mongonui wished that the Attorney-General was in the House to go into a discussion of the measure. He would say, Heaven forbid there should be such a discussion. It was not meant to be a lawyer's measure, and he was amused at the cool manner in which the honorable member had told him that he (Mr. Vogel) was not qualified to discuss the question because he was not a lawyer. That was taking possession of a measure on behalf of a profession which it was not intended to benefit. He knew that this Bill would have the effect of taking many thousands of pounds every year out of the pockets of those who acted for trusts. He was willing to admit that it was rather for the benefit of the community than of the legal profession, and was he to be told that it was to be made for the advantage of the legal profession, and not of the community generally? Because it struck him that was what the honorable member desired. The honorable member said that the Bill would work mischief. To whom? The honorable member did not condescend to explain, but certainly it could not work mischief to those persons with

whom it was perfectly optional whether they should take advantage of it or not. Those persons could not be in a worse position, simply because they might use the Bill if they saw fit. Could it be said that those unfortunate persons—and there were hundreds of them in the community—who did not know where to look for trustees, were to remain in their present unfortunate position? If the honorable member were to inquire into the history of many widows and orphans in the country, to ascertain how they had suffered from misplaced trusts, and from settlements which had been torn to pieces, he would come to the conclusion that, instead of having a mischievous effect, the Bill must work an enormous amount of good, and be largely conducive to domestic happiness, which he supposed, as had been well said by the honorable member for Wallace, was a question which ought to have a paramount consideration in that House. He would ask, what was the object of their legislation if they were not to devote their attention to the well-being of the population generally? Were they, in the interest of any exclusive profession, to lose sight of the beneficent effects which the measure was calculated to spread wholesale throughout the community? The attack on the Attorney-General was altogether misplaced. He understood the honorable gentleman to say that the Attorney-General was not in the House, and could not be responsible for the measure, and that if he were in the House the probability was that it would not have come down in that shape. He was now referring to the honorable member for Mongonui. He (Mr. Vogel) explained, when he proposed the second reading of the Bill, that it had not been drafted by the Attorney-General. The honorable member had stated that he could not discuss such bills as this with non-legal men. He was glad to hear it, as he could not undertake to amend the Bill in Committee. Again, he felt grateful and glad to think that such was the case, and, upon that explicit declaration of the honorable member, he had the more confidence in asking the House to proceed with the Bill during the present session. He wished to remind the honorable member that he had stated he would not endeavour to amend the Bill in Committee, so that they had a further assurance that the Bill could be passed through all its stages this session, and if that were done he believed they would be consulting the wishes, not only of a large majority of the members of the House, but that the passage of the measure would also be a step most acceptable to the country generally. He would not for one moment say that the Government would not be prepared to accept amendments, but he would remind honorable members that amendments could be made hereafter.

Mr. BRANDON remarked that it would be far better, if the Colonial Treasurer wished to give effect to his desire that the measure should be passed through this session, if he were to postpone going into Committee until Tuesday.

Mr. GILLIES said he could assure the Colonial Treasurer that he made no mistake in saying that

he (Mr. Gillies) would not make any amendments in Committee, and if he and other honorable members were to take the same course in regard to his (the Treasurer's) Bills, he would find they wrought more mischief than he was aware of. As to his opposing the measure on legal grounds, he thought the Colonial Treasurer had less cause than most men to make such imputations. He (Mr. Gillies) did not come to that House as a professional man—that he had ceased to be—and even if he had endeavoured, by his professional knowledge, to aid the country, the honorable member had no right to make such remarks regarding professional knowledge which he (the Treasurer) did not, and never could, possess. He regretted that the Colonial Treasurer should have deemed it his duty, on every occasion when he (Mr. Gillies) endeavoured to aid the Government with such little knowledge as he might possess, which might be little, and perhaps misplaced, but, he repeated, he regretted that on every occasion when in good faith, as he had done on this occasion, he endeavoured to assist the Government in regard to principles which he desired to see carried into effect, the Colonial Treasurer should feel it his duty to attack him in that personal manner. He assured the honorable member that he should not treat him in the way in which he had said he would treat him, with something like contempt. He should inflict upon the honorable member that which he deserved, not contempt but a severe castigation.

Mr. VOGEL would only say he was sorry if the remarks he had made excited the indignation of the honorable member. He had had no desire to make a personal attack upon him, but simply to put the case from a public point of view, and did not intend to make any insinuation, or lead the House to suppose that the honorable member had any personal interest either in throwing out the Bill or adopting it. He was aware that the honorable member was not practising his profession, and he was sorry that he had supposed his (Mr. Vogel's) remarks should have amounted to any personal significance. He had merely endeavoured to rebuke the honorable member for the arrogance he had displayed in dictating to the Government what it should and what it should not do. But lately the honorable member had earned the gratitude of the Government. During the first part of the session he continually annoyed the Government, and, he believed, other honorable members of the House, by attempting to act the part of tutor, and telling them how they should or should not vote. Sometimes he was explanatory—sometimes saying that was right and that was wrong; but there was no doubt he had served the Government a great deal lately, because he had been silent, or had not spoken much. So far as the present measure was concerned, he did not say that the honorable member had either assisted the Government or opposed them, because it was not a measure which had a political significance. He did not say that the honorable member opposed the Bill in any party spirit. What he said was that the honorable member was opposing it from the light of a very narrow and contracted mind,

and that he was not one of those who could look ahead and recognize that notions which he entertained twenty-five years ago, might not be notions suitable to the present day.

The Bill was read a second time, and ordered to be committed on Monday.

The House adjourned at a quarter to one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 19th August, 1870.

Leave of Absence—Native Lands Frauds Prevention Bill — Married Women's Property Protection Bill — Hawke's Bay and Marlborough Rivers Bill—Immigration and Public Works Bill—Timaru and Gladstone Board of Works Bill—Bills Committed—Sale of Spirits in Native Districts Bill—Messages from the House of Representatives—Post Office Bill (No. 2).

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

LEAVE OF ABSENCE.

On the motion of the Hon. Dr. RENWICK, it was ordered, That leave of absence be granted to the Hon. Dr. RENWICK for the remainder of the session, on urgent business; to commence from the date of sailing of the "Claud Hamilton."

NATIVE LANDS FRAUDS PREVENTION BILL.

The Hon. Mr. SEWELL moved for leave to bring in a Bill founded on the report of the Committee on the Native Reserves Bill.

Leave was granted. The Bill was brought in, read a first time, and the second reading fixed for Tuesday.

MARRIED WOMEN'S PROPERTY PROTECTION BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that it was founded upon the recommendation of the Committee which had been appointed by the Council to consider the expediency of altering the law relating to the property of married women, and was confined to the simple object of extending the provisions of the Act of 1860, which applied only to married women who were deserted by their husbands, to cases where circumstances would justify the wife in living apart from her husband, namely, gross cruelty, where the husband was living in open adultery, and to habitual drunkenness on the part of the husband. The effect of the Bill would be to put the woman in the position of a *femme sole* in regard to her earnings. There was also a provision that in all cases where women were placed in that position, and restored to the status of single women, they should have the control of such of their children as ought properly to be placed under the care of the wife.

The Bill was read a second time, and ordered to be committed next sitting day.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

On the question that the Council go into Committee upon this Bill,

The Hon. Captain FRASER desired to make some observations in reply to a few remarks which fell from the Hon. Mr. Seymour on the previous day, to the effect that, in his opinion, the Provincial Council should be represented in the board of conservators in proportion only to the amount of its subsidy. He fully recognized the justice of that remark, and should like to see the principle carried out to its full extent. The Province of Otago paid nearly one-third of the revenue of the Colony, and, by a parity of reasoning, it ought to be represented in another place by twenty-five members and in the Council by fifteen members. All the subsidies in Otago were in the proportion of two to one, and, for the purposes of this particular Bill, the subsidy would be to a much greater extent. The honorable member would see that, if his suggestion were adopted, an injustice would be done to the ratepayers. If the honorable gentleman would visit Otago, in which he took so large an interest, he would be satisfied that it was quite able to take care of its own concerns.

The Hon. Colonel WHITMORE, C.M.G., said that the honorable gentleman who had just sat down possessed the respect of every honorable member, yet, on this occasion, there were very few who had listened to his remarks with pleasure. He must deny that the number of members of the Council was in any way dependent on the amount of revenue which was collected from any particular part of the country. There would be nothing improper in any district which was distinguished by having suitable persons to serve in the Council, being represented by a very large excess over the average proportion of members sent by other districts. He might remark that the number of members from the Province of Auckland was exceedingly small in proportion to its contribution to the revenue, much smaller indeed than the Province of Otago. He did not think, if this Bill had been open to the objections which were stated, that the Province of Otago would have asked to take advantage of it. He protested against the same rule which obtained in regard to the representation in another place being applied to the constitution of the Council.

The Bill was then considered in Committee, progress was reported, and leave obtained to sit again on Tuesday.

IMMIGRATION AND PUBLIC WORKS BILL.

This Bill was received from the House of Representatives, and read a first time.

The Hon. Mr. GISBORNE, in moving that the second reading of the Bill be made an order of the day for Tuesday, said that he proposed to make a general statement of the financial policy of the Government upon moving the second reading, when a debate upon the whole subject might be taken.

Motion agreed to.

TIMARU AND GLADSTONE BOARD OF WORKS BILL.

The Hon. Mr. GISBORNE said that on the

previous sitting day he had asked for the ruling of the Hon. the Speaker upon a point of parliamentary practice, and he desired to ask further whether the necessary alteration might not be made upon the supposition that the error was a clerical one?

The Hon. the SPEAKER said that he could find no precedent which was exactly analogous in the proceedings of the House of Lords, the House of Commons, or the Assembly of this Colony. He was, however, informed by the Attorney-General that the practice in Victoria was to treat a message from the Governor in the same manner as a message from another branch of the Legislature. Under those circumstances, and considering that our Constitution Act and the Standing Orders of the Council might be interpreted in a liberal sense, he should rule that an amendment on a message from the Governor would be justified, and in order. The word "not," in this particular case, was evidently a clerical error, and might be altered as such.

The amendments proposed by the Governor in this Bill were then agreed to, the word "not" being struck out, and the Bill ordered to be transmitted to the House of Representatives for their concurrence therein.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Unincorporated Boards Suits Bill was reported with amendments, and the third reading fixed for next sitting day.

The Borough Schools Bill, in which progress was reported.

The Sale for Non-payment of Rates Bill was reported with amendments, and the third reading fixed for next sitting day.

SALE OF SPIRITS IN NATIVE DISTRICTS BILL.

The Hon. Mr. GIBBORNE, in moving the second reading of this Bill, said that he would shortly explain the principle of the Bill, as well as the present law on the subject which was proposed to be repealed. The Sale of Spirits Ordinance, which was passed in 1846, provided,—

"That it shall not be lawful for any person whomsoever, either to sell, or to supply, or to give, any spirituous liquor, or mixed liquor, part whereof is spirituous, in any quantity whatever, to any person of the Native race. It shall not be lawful for any person whomsoever, either to sell, or to supply, or to give, any wine, or any fermented liquor, or mixed liquor, part whereof is fermented, in any quantity respectively, which shall produce intoxication to any person of the Native race."

That Ordinance had remained in force up to the present time. Honorable members were, of course, aware that for the last seven or eight years it had had very little practical effect. A very great social principle was involved in enacting a prohibition on the sale or supply of spirits to Natives. First, there was the right to enact such a prohibition to be considered. There

could be no question that, according to the treaty of Waitangi, the Natives were entitled to all the rights and privileges of British subjects, but he thought it would have been a mockery to say, coming among that race as a civilized people, and with the vice of drunkenness which unfortunately attached to civilization, that, therefore, we should allow them the use of spirits—holding out the promise of equality to the ear, but breaking it to the sense. That principle of refusing to allow spirituous liquors had been adopted in Australia and America in regard to the aboriginal races of those countries. If it was established to be our duty to prohibit the supply of spirits and fermented liquors to the Native race, the question was how to pass a law which would be of the most useful character and offer the smallest amount of irritation to that people. This law had been on the Statute Book for something like twenty-three years, and no one had ever attempted to alter it. He had heard it argued that the fact of that being the law had in many cases incited the Natives to drink, or otherwise they would not have taken so freely to intoxicating liquor. There was no doubt that the law had been practically evaded, and was almost entirely a dead letter. The principle of the present Bill was, that in any district where the majority of the inhabitants were Natives, the Governor should have power to proclaim it a district under the Act, and to appoint an assessor or assessors for that district, no license being issued for the sale of spirits or fermented liquor in that district without the consent of those officers. There were the usual clauses for providing penalties, and the Governor would have power to say what liquors were to be prohibited, notwithstanding that any license might have been issued. Under the Publicans' Licensing Ordinance, the provincial authorities had power to issue bush licenses, and it was a question to be decided whether it should not be provided in this Bill, that licenses should be only issued by the Governor or by his authorized agent. It was for the Council to consider whether the present state of the law upon the subject was satisfactory, and whether the alterations in the present Bill would be an improvement. He believed that in many cases the Natives were very unwilling that spirits should be taken into their districts; but they had no way of keeping them out, and any ill-disposed European or Native might introduce them until they had gradually worked their way for evil, and caused drunkenness to be a prevalent vice. Under this Bill the Governor would have power to prevent such a result; he would consult the Native chiefs in the district, and it would rest with the assessors who were appointed, to say whether licenses should be issued or not. No one could deny that the unrestricted supply of spirits to the Natives was rapidly destroying and demoralizing the race, and was dangerous to ourselves, inasmuch as a drunken brawl might at any time involve the peace of the country. He did not suppose that the most ardent champion of the Native rights would seriously deny that we had perfect liberty to prohibit the sale of spirits as well as the sale of firearms. For our own sakes, as well as on the

broad grounds of philanthropy, it was advisable to restrict the supply of spirits, especially when the Natives themselves were anxious that it should be done. It was proposed to exclude the towns from the operation of the Bill. It would be for the Council to say whether it was best to repeal the present law in that respect. The result would of course be that, in the towns and the settled European districts, the Natives would have as much liberty to indulge in intoxicating liquors as the Europeans. It was not proposed any longer to prohibit the sale of spirits in the settled districts, but to say that in the purely Native districts of the interior the supply of spirits might be restricted in accordance with the wishes of the majority of the inhabitants.

The Hon. Colonel RUSSELL said that he did not oppose the second reading of the Bill, but he must acknowledge that he laboured under a feeling of disappointment, that, in dealing with so serious a subject, something more effectual had not been arrived at. So long back as 1866 he had intimated his intention, if he remained in office, to propose the repeal of the Sale of Spirits Ordinance, and he had hoped to bring forward a more effectual measure than this Bill, which would be wholly inoperative and unproductive of any good results. He was not prepared to say that it would be possible to draw up a better measure, but he would be glad to render every assistance in his power to make it more perfect. The great difficulty did not so much exist in the Native districts as in the immediate neighbourhood of towns. At Napier, for instance, it was almost impossible to go, at night, from the town to the place where he resided, a distance of eight miles, without great risk to life and limb. The Natives would remain in town all day, where they became intoxicated; they generally left the town about dark, and after riding about four miles would stop and drink; then, after proceeding for another mile, they would drink again; finally, they would arrive at a now celebrated place, where they completed their debauch. It was almost impossible for females to pass along the road. Everything of the most obscene character took place there; and the Natives rode at the fastest rate. The persons who sold the liquor were well known, but, as the Ordinance had become a dead letter, no one prosecuted under it. In his experience he had never seen anything in the country districts which would be cured by this Bill.

The Hon. Colonel KENNY must say a few words upon the Bill, but he would have to do so without premeditation, as it had only been placed in his hands within the last ten minutes, and he had not even read it. He had thought, upon seeing the title, that the Government was at last awakening to a sense of its duty, and that the Bill would be operative and useful. His honorable friend said, however, that it would be utterly inoperative, and he must say that he was exceedingly sorry to hear it. The Government had neglected its duty for many years past, in reference to the question before the Council, and so had become responsible for the difficulties which had resulted from the crime of drunkenness now so

prevalent among the Natives. His honorable and gallant friend said that the Bill would have no effect in respect to the Natives in the vicinity of towns, where it was so much required, and seemed to imply that there was no necessity for it elsewhere. Many years ago a large portion of the Waikato district was in the most flourishing condition. In the neighbourhood of the locality where the most serious hostilities occurred some years afterwards, there was a block of about 1,000 acres of land belonging to the Natives which was in the highest state of cultivation, besides large tracts of land producing wheat. There were no less than five flour mills in the vicinity. He visited that district on public duty in 1856, and he found that there was a public house, with a bush license, established there professedly for the accommodation of chance travellers, but it was shut up at the time. It was opened, however, on the occasions when the Natives received payment for their produce, and, as soon as payment was made, the orgies began. That took place with the knowledge of the Government, and no steps were taken to prevent it. The principal chief, hearing that he (Colonel Kenny) was there as a Government officer, gave him a petition praying for redress, which he subsequently handed to Governor Browne, who placed it before the Ministry of the day, but nothing was done to mitigate the evil complained of. The primary cause of evil was the system of bush licenses which were issued in the Native districts. In the early days the Government enacted the Sale of Spirits Ordinance, but it afterwards became nugatory through the power allowed to the Superintendent of issuing bush licenses. It was the duty of the Legislature, through the action of Ministers, to have provided a remedy long before this. He could not but think that this Bill was a step in the right direction, but at the same time it required careful consideration, and if he could assist in improving it he should be very happy to do so.

The Hon. Colonel WHITMORE, C.M.G., said that this was the most unsatisfactory Bill, dealing with a great question, which he had ever read, and he was the more surprised that it should be so, because the honorable gentleman whose name was at the head of it was supposed to be distinguished for his knowledge of the Native character, and his philanthropic interest in the Native race. That honorable gentleman must be aware of the circumstances mentioned by his honorable friend Colonel Russell, and also of the fact that the Native assessor at Napier would be, perhaps, the very person who would ride against him every afternoon at full gallop along the high road, and yet that assessor was the Maori representative in another place. He must be aware that the assessor in the next district was distinguished for habitual drunkenness. He knew, also, that the liquor which made those Natives drunk was bought in the towns, and that, therefore, this Bill would be a dead letter in respect to those particular tribes. He was quite certain that, in purely Native districts, where the Native assessor was a sober man, backed up by the public opinion of his tribe, there

was no drunkenness, and in spite of the shameless contempt which was shown for the Sale of Spirits Ordinance, as well as the temptations held out to the Natives, the utmost sobriety prevailed. The Arawa tribe were singularly sober, and the reason was, that their most influential men would not allow spirits to be taken there. This Bill would make no difference whatever in the case of those people, who had already reached the state of things which it was hoped would result from the Bill. Supposing that there happened to be a drunken and a sober assessor, would the sober assessor be able to keep his people temperate just because he had certain powers vested in him by this Bill? Certainly not. The whole measure exhibited an amount of ignorance which he could not lay to the charge of the honorable gentleman whose name was at the head of the Bill. In 1866 his honorable friend Colonel Russell had stated that it was his intention to repeal the Ordinance, and bring in a new Bill. The great difficulty was to define what should be Native districts. He could well imagine that the Europeans in such districts would consider it a great hardship to be placed under restrictions merely because they happened to be in the minority. He held that the principle of the Bill was utterly vicious and wrong. From the very beginning of our legislation for the Natives, we had been going from bad to worse, and he thought that our true policy towards them would be to remove every restriction except with respect to arms and ammunition; that exception being maintained for the same reason that a restriction was imposed upon portions of the population in Ireland, namely, for self-preservation. His experience of Native assessors was certainly not favourable to them in respect to sobriety. He had found that the chiefs did not, as a rule, abstain on account of their high birth, and he was certain that if assessors were appointed who were sober, but not persons of influence, no benefit would be conferred. It would, perhaps, be invidious to name any particular chief, although several had been before the public for years, who were noted for their inebriety, but he might instance the Ngatiporou tribe. One of their most distinguished chiefs, Ropata, was himself a publican. Was it possible that, merely for the title of "assessor," he would completely throw away the pecuniary advantages which he derived from his ordinary daily pursuits, and forbid the importation of liquor to his part of the country? If he did so, he would be opposing popular feeling, and his influence would rapidly decay. If the Natives in districts such as were contemplated by the Bill did not wish to have liquor there, they would themselves prevent its introduction. This Bill would not assist them in doing so, and it was unnecessary to pass it simply for the sake of clothing the chiefs with a title which would not convey authority. They were now perpetuating a system of exclusiveness—the system of the Native office, and all its crimes, which he should do all in his power to destroy upon every possible occasion. If we could reach that happy period when the Native would stand before the law in the

same position as the European, supposing that it were possible to so far degrade him as to bring him down to the level of the poor Anglo-Saxon; if it were not considered treason to put a Native in the same position as an Englishman, there would be some chance of peace being established in the country, and then we should not only attain the object of this Bill, but advance the material interests both of the white and the Maori population. At the present time, the proximate cause of drunkenness amongst the Natives was the enormous pay which they received for their military services. They acquired the taste for liquor by the system which had obtained of paying them in the towns, which appeared to be done for no other purpose than to give a certain amount of liquor profit to the publicans. It must have been remarked that the Natives had been almost invariably brought to some large town for the purpose of being paid off. An instance of that kind recently occurred in Wellington, and it was the regular practice at Wanganui and Napier. In other cases, an arrangement was made with some person who traded in liquor, to give the Natives credit at his store, which meant so many barrels of grog. That was what caused the taste for liquor. Peace would lessen that indulgence, and would restore to the sober-minded chiefs sufficient influence to put an end to it to a great extent. Our true road towards peace would be to do away with the Native office, the Native Minister, commissioners, interpreters, and everything else connected with the institution, and if they could be shipped away bodily to the Chatham Islands, or anywhere out of the country, wars and rumours of wars would speedily die out. If peace were established, this Bill would not be required; indeed, the necessity for it was daily becoming less, because the war had nearly worn itself to an end. He should not think it right to take a division upon the Bill, as the general feeling seemed to be in favour of it, but he should endeavour, in Committee, to alter it as much as possible, so as to make it less of a Maori measure; but if he was unable to do so, he should reserve the right to oppose it at every subsequent stage. The honorable gentlemen who had addressed the Council were old settlers, and he should like to see in what way they would propose to improve the Bill. There was no necessity to restrict the right of giving licenses to assessors. There was already ample power to restrict the licenses issued to Europeans, and it was not to the Native assessors, but to the publicans, that they should look. In those far-away districts where drunkenness might prevail, although he did not know where they were, it would never be found to be the Natives who traded in liquor, but the Europeans; and the object of the Bill might be reached by refusing the licenses in the usual manner, or by imposing some penalty.

The Hon. Dr. BUCHANAN concurred in much that had fallen from his honorable and gallant friend Colonel Whitmore. Special legislation of any kind with regard to the Native population should be avoided as much as possible. He would

have been disposed to support the last clause of this Bill only, had it not been for the remarks of the Hon. Colonel Kenny and the Hon. Colonel Russell, who, from their long experience, were so capable of improving the provisions of the Bill. With their large experience, he hoped that some better scheme than this might be devised; but if that could not be done, he should be ready to take the course proposed by the honorable and gallant member.

The Hon. Captain FRASER did not intend to oppose this Bill, although he was averse to it, because it placed the European in opposition to the black man. In a district in the South Island, in which he was the only magistrate, he applied for detective revenue officers, and succeeded in putting a stop to sly grog-selling and selling grog to Maoris; but he found, to his great disgust, that they sent their whaleboats to Dunedin, and brought up liquor, which they sold at the rate of 10s. the square bottle. He thought it was unfortunate that the present Act had been allowed to fall into abeyance, because it might have been easily enforced, as he had done on the occasion to which he had referred.

The Hon. Mr. JOHNSTON agreed in the opinion that there should be but one law for Europeans and Natives, and was glad to find that the Ordinance to prohibit the sale of spirits to Natives was to be repealed, inasmuch as it was a sham, as had been shown by the circumstances to which his honorable friend Colonel Russell had referred, of which he had been himself a witness when he was in Napier.

The Hon. Mr. PATERSON did not think that a Bill of this kind was calculated to be of any substantial benefit in the desired direction. He thought that class legislation such as this was an evil which ought to be got rid of as soon as possible. He did not see the use of making different laws of the kind proposed for different portions of the community. If the restriction hitherto in existence, forbidding the sale of intoxicating liquors to the Natives, was not required, or had proved ineffective in its operation, it ought to be abolished, so that there might be the same law for the European and the Native—both enjoying the same liberty, and being subject to the same control.

The Hon. Mr. GISBORNE said there was no doubt that this subject was beset with difficulties, but the fact that the present spirit law was a dead letter was not altogether, or indeed in any degree, the fault of the Government. The Legislature made a law, but it was the magistrates, and not the Government, who administered it, and therefore they were to blame. He would not say that it was not a venial fault, as it was really very difficult to enforce those restrictive laws. It was impossible to make a people virtuous by an Act of Parliament, still he thought that it was a duty, under the present circumstances of the country, to put upon the Statute Book a protest against the spread of intoxication among the Natives, and he thought that the Legislature should pause before it refused to pass a Bill which was in favour of the sober portion of the race. He

was told that at the Bay of Islands the chiefs, in some cases, desired to prevent the influx of spirits into their districts, but were utterly powerless to do so. They had appealed to the Government, but the Government had been unable to assist them; he had no doubt, however, that it was upon such representations that the Bill was founded. It was mainly intended to be applied to the purely Native districts. It could, of course, be altered in Committee, but he did not suppose that it was ever intended to be enforced where there was only a small number of Maori inhabitants. It was very difficult to decide as to what should be done in the settled districts and in the towns. The question was, whether they were to repeal the present law or to try and enforce it. Those persons who argued that there should be no exceptional law, went upon a logical although a very untenable ground, because no Legislature could, he thought, justly say that we should not use every effort to prevent the Natives amongst whom we had come for the purpose of benefiting ourselves, from falling victims to the vice of drunkenness. He did not think that, except what may be gathered from the statement of his honorable friend Colonel Russell, in 1866, there had been any attempt to bring in a Bill to amend the present law. He did not know what the honorable member had intended to do at that time, but he should be happy to receive suggestions from him, as well as from the honorable Colonel Kenny, and other honorable members, which would have the effect of improving the Bill. He was afraid, however, that those suggestions would not result in materially diminishing the vice of drunkenness in the European districts, of which he had heard so much. They had heard of the Natives at Napier getting more and more intoxicated, in a kind of geometrical progression, and it was perfectly hopeless to think that any Act would remedy that evil. If the public feeling in any district empowered the magistrates to enforce the present law, it might be done, but no legislation could have that effect. Would it do any good to increase the penalty? He must say that he was rather against the repeal of the present law. The repealing clause was not in the original Bill, but had been introduced in another place, and accepted by his honorable colleague, Mr. McLean. He did not see that they could do anything but pass a modified measure of this kind, which, in purely Native districts, would enable the Natives to resist the temptation of indulging in ardent spirits. There had been plaintive appeals to the Governor and the Houses of the Legislature from those Natives, and he thought that those appeals should not be disregarded. He should propose to commit the Bill on Wednesday, so that honorable members might have time to prepare amendments which they might think desirable.

The Bill was read a second time, and ordered to be committed on Wednesday.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he

had received the following messages from the House of Representatives:—

The Turner Land Grant Bill and the Government Insurance and Annuities Extension Bill were read a first time, and the second readings fixed for Tuesday.

The Government Officers Guarantee Bill, the Government Annuities Bill, the Dangerous Goods Bill, and the Marine Bill, were read a first time, and the second readings fixed for Wednesday.

That they had agreed to the amendments made by the Legislative Council in the Colonial Reciprocity Bill.

POST OFFICE BILL (No. 2).

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that it consisted of two parts. The first part was of an educational nature, as it allowed newspapers to be sent free by post to mechanics' institutes, public libraries, and hospitals. The second part gave power to the Postmaster-General to make arrangements for the transmission of mails. He would point out that the Postmaster-General was allowed to make arrangements with the proper authorities of any British possession or foreign country. That might perhaps strike honorable members as being an infringement of the Royal prerogative, but there had been Acts to the same effect passed in Victoria and New South Wales in 1866, and assented to by the respective Governors, no objection being taken thereto by the Imperial authorities. It was not intended to be anything in the shape of a treaty, but merely to authorize the Postmaster-General to make arrangements with the Postmaster-General of the United Kingdom, or with the postal authorities of foreign countries, for the transmission of mails by land or sea; and the object was, that when we had made a contract for the carriage of mails from New Zealand to San Francisco, and the exclusive charge was borne by this Colony, we could make arrangements with the other colonies to pay a fair share, and, if they declined to come to terms, we could refuse to send on their letters. The Bill gave power to the Postmaster-General to refuse to take the mails of any non-contributing Colony.

The Hon. Colonel WHITMORE, C.M.G., said that he presumed the honorable gentleman was aware whether or not it had been considered in another place that the revenue would be materially affected by this Bill, as there were unfortunately so many newspapers in this Colony. He should be very sorry to see any colony refuse to join in the contract, but he would not be a party to showing our displeasure in so paltry a manner as to send the settlers' letters back to England because their Government would not contribute. It was a kind of proceeding which might react against us hereafter, as other lines might be opened by which it might be very convenient for us to receive and send our letters, but to which we could not afford to contribute. He should support the other part of the Bill.

The Hon. Mr. HOLMES said that there must be some system adopted in a matter of this kind, which involved the outlay of a considerable sum of

money. The Government should have power to arrange with other colonies for mail communication. The whole expense of the San Francisco line was £15,000 a year, and why should we pay the whole amount while other colonies contributed nothing? There could be no doubt that £15,000 a year would not be sufficient for the service. If the other colonies did not join in a service of this kind, and we were determined to keep to that route, which was the natural one, we would have to pay a larger sum of money, and why should not we be in a position to say that we would not transmit the letters of other colonies except on conditions to be agreed upon? He had no doubt that the Government of this Colony would be willing to treat with the Australian colonies as equitably as they would be disposed to deal with us, and it would be wrong that the hands of the Government should be tied in entering upon any arrangements for a mail service or the charge upon the transmission of letters and papers.

The Hon. Mr. STOKES had no objection to what the honorable member had termed the educational part of the Bill, but the latter portion was something like the postscript to a lady's letter, it contained the most important part of the epistle. It seemed that the Bill gave the Postmaster-General power to conclude postal treaties without reference to the General Assembly. In all previous contracts, the amount of subsidy and the line generally, as well as the port of arrival and departure, had been settled by the General Assembly. It was mainly owing to such a course not having been taken that great inconvenience had arisen during the recess in starting the San Francisco line. If that contract had not been hastily concluded, there was no doubt that a much better line would have been established. There was no permanency existing in the present line, but such a contract having been hastily concluded, seemed to have thrown impediments in the way of one or more lines being established which would be far better than the present line. Those questions ought to be decided by the General Assembly, but the scope and object of this Bill would be rather to put it out of their power to decide, because, if a contract were once entered into, it would be difficult to alter it afterwards.

The Hon. Mr. GISBORNE said that it was all very well for his honorable friend Colonel Whitmore to say that returning the letters was a small way of avenging ourselves, but what else could we do? Supposing Victoria did not choose to contribute her share, she would have no more right to benefit by the line than a person would have a right to participate in the advantages of a benefit society to which he had not subscribed. There was no way in which the letters could be charged extra, because they would be forwarded to England, where it would be impossible to collect the amount due. He did not see that there was any escape from the alternative that we must return the letters to the Colony from which they came as articles which had been sent there under false pretences. With respect to the objections of his honorable friend Mr. Stokes, he might say that

the Assembly had the voting of the money, and could also name the port of call if it chose. In the last session, the House of Representatives authorized a certain sum of money for a service, but it did not name the port of call, nor did it name the port of call when the Panama line was first authorized. The Bill would not, in any way, take away from the Assembly the power of naming the port of call, because no arrangement could be made until it had appropriated the money.

The Bill was read a second time, and ordered to be committed on Tuesday.

The Council adjourned at half-past five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 19th August, 1870.

Public Petitions Committee—Representation Bill—Case of George Green—Prisons—Suez Mail Route—Turner Land Grant Bill—Ways and Means—Reciprocity Bill—Dangerous Goods Bill—Third Readings—Marine Bill—Court of Appeal Bill—Crown Grants Bill—Payments to Provinces Bill—Payment of Common Jurors Bill—Harbour Boards Bill—Disqualification Bill—Bankruptcy Bill—Defence Purposes Loan Bill—Superintendents of Marlborough Election Bill—*Hazard Reports.*

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petitions of Joseph Hawke and of Wiremu Katene, of Nelson, which were read, and ordered to lie on the table.

REPRESENTATION BILL.

Mr. GILLIES brought up the report of the Representation Committee, which was read.

CASE OF GEORGE GREEN.

Mr. HAUGHTON asked the Premier, Whether the Government are prepared to bring in a Bill this session to give effect to the award of the Secretary of Crown Lands in the case of George Green?

Mr. FOX said a Bill had been prepared by the solicitor of George Green, and had been submitted by the Secretary of Crown Lands to the Attorney-General, and if the report of that officer was favourable to it, the Government would endeavour to get the measure introduced as early as possible.

PRISONS.

Mr. HAUGHTON asked the Premier, Whether it is the intention of the Government to give effect to the recommendations of the Royal Commission on Prisons made in 1868? The report of the Commission had been presented to Parliament in 1868, and, so far as he could learn, the state of things was worse at the present time

than it was when the report was made. He put the question hoping that, in the different schemes which the Government would be enabled to carry out, they would take the matter into their consideration.

Mr. FOX said the Government had not come to any definite conclusion with regard to the recommendations of the Commission referred to, and he was afraid he would have to put the subject down amongst the category of subjects which the Government would attend to during the recess. The question involved an entire change of the prison discipline of the whole Colony, and should not be dealt with without the full concurrence of the House. He was not prepared to say that the Government coincided with the views expressed in the report of the Commission, and could only promise that they would give it their consideration before the House met again.

SUEZ MAIL ROUTE.

Mr. DRIVER asked the Postmaster-General, If the Government will place the sum of £1,500 on the supplementary estimates for the purpose of subsidy to steamers conveying the English mails between New Zealand and Melbourne, in connection with the steamer *via Suez*?

Mr. VOGEL said the Government would be willing to place £1,300 on the supplementary estimates, which would be at the rate of £100 per month of four weeks, for the purpose of arranging—if it were practicable to make any arrangement—for the carriage of any mails between New Zealand and Melbourne in time to catch the Suez mails, and of arranging, also, to have such mails as might arrive from Suez brought down within a reasonable time. He was perfectly aware that in doing so they were throwing an extra number of letters upon the Suez line which might otherwise go by the Californian route; but, taking into consideration that the Californian service was a new one, and that the Colony had been accustomed to use the Suez route for a long time, the Government were prepared—feeling that the Southern Provinces would consider it a hardship not to be able to communicate by that route—to subsidize the steamers between Wellington and Melbourne to the extent he had mentioned. He hardly thought that that arrangement would conflict with the resolution passed last session, to the effect that there should be no subsidy, because it was expressly understood that anything moderate in the shape of a bonus—which, after all, the payment which was now proposed might be called—would not be excluded by the resolution. However, there would be plenty of opportunity for discussing the matter when the amount was brought down.

TURNER LAND GRANT BILL.

On the motion of Mr. BUNNY, the amendments made by the Committee in this Bill were agreed to, and the Bill read a third time, and passed.

WAYS AND MEANS.

On the motion of Mr. VOGEL, the House went into Committee of Ways and Means.

IN COMMITTEE.

On the motion of Mr. VOGEL, it was resolved, That in the opinion of this Committee, it is desirable that provision should be made for the purpose of a Bill to authorize the raising of funds by loan, for the construction of roads in the North Island of New Zealand, the introduction of immigrants, supply of water to the gold fields, construction of railways, and other public works.

Progress was reported, and leave given to sit again next sitting day. The resolution was ordered to be considered next sitting day.

RECIPROCITY BILL.

Mr. VOGEL moved that the amendments made by the Legislative Council in this Bill be agreed to. The only alteration of any significance was the introduction of a clause reserving the Act for Her Majesty's consent. He did not know that such a course was necessary, as, under any circumstances, the Bill could be reserved if it were thought requisite to do so. It was establishing a precedent which he thought undesirable, as it would have been sufficient to leave it to the Attorney-General to decide whether the reservation of the Bill was necessary. He would not ask the House to oppose the amendment, as he looked upon the Bill as leading towards the end in view, namely, having the question decided and tested. It would be seen, also, that six instead of twelve months was introduced as the period of notice for ending an arrangement. Another amendment was one directing the operation of the Bill upon tobacco and spirits.

Amendments agreed to.

DANGEROUS GOODS BILL.

Mr. VOGEL, in moving the second reading of this Bill, stated that its object was to assimilate the definition of dangerous oils in this Colony to the definition given of them in England, as great inconvenience arose from there being two definitions of the same article. It was also sought to enable the Act to be administered by officers of police as well as by inspectors of weights and measures. The Bill had been found necessary from absolute experience.

The Bill was read a second time, considered in committee, reported without amendment, read a third time, and passed.

THIRD READINGS.

The New Zealand Government Annuities Act Amendment Bill, New Zealand Government Insurance and Annuities Extension Bill, Richmond Land Sales Bill, and Hawke's Bay Renewal of Licenses Bill, were considered in Committee, reported without amendment, read a third time, and passed.

The Government Officers Guarantee Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

MARINE BILL.

The House went into Committee on this Bill,

which was reported with amendments, which were agreed to, and the Bill read a third time.

On the motion that the Bill do pass,

Mr. BARFF wished to direct the attention of the Colonial Treasurer to certain matters connected with the working of the Marine Act. Section 30 of this Act placed the power of administering a certain portion of the Act in the hands of the harbour authorities throughout the Colony—the licensing of boats, appointment of inspectors of boats, and the general administration of details connected with the working of the Act. Some of the schedules to the Municipal Corporations Act, which was likewise in operation, contained bye-laws which, when adopted by the municipal councils, placed exactly the same power in the hands of the municipal bodies throughout the Colony, and, consequently, the harbour and municipal authorities were brought into immediate conflict wherever the two bodies existed. In Hokitika the harbour authorities, under the Marine Act, had the power of licensing boatmen, issuing licenses, fixing the fees, and also inspecting the boats which ply under licenses. Under schedule 13 of the Municipal Corporations Act the municipality of Hokitika likewise claimed to have the power of licensing boatmen and boats, and appointing an inspector of boats, and the regulations of that Act superseded the provisions of any Act passed previously. The result was that the harbour authorities found themselves utterly unable to interfere in matters connected with the licensing of boats, or the management of any boats plying in the harbour of Hokitika. Wherever the Municipal Corporations Act was in operation, the harbour authorities were quite powerless to interfere in many matters connected with their own department, such as the licensing of boats or boatmen. As he had pointed out, no inspector of boats was appointed in any of the harbours under the control of the municipal authorities. The result was, that men were licensed as boatmen who were manifestly unqualified to fill the position, and, owing to their incapacity, there had been a serious loss of life and property. The municipal authorities did not appoint inspectors of boats, although they were authorized to do so by the Act. He merely directed the attention of the House to this conflict of authority under the Municipal Corporations and Marine Acts.

The Bill was then passed.

COURT OF APPEAL BILL.

This Bill was received from the Legislative Council, read a first time, and the second reading fixed for Monday.

CROWN GRANTS BILL.

Mr. VOGEL, in moving the second reading of this Bill, said the Bill had been introduced into the Legislative Council by the Secretary of Crown Lands, with the object of enabling the fees on Crown grants to be recovered more readily than they were at present. The arrears had become enormous, there being something like £17,000 to be recovered. He took great interest in this

Bill, as he thought it would be the means of adding a considerable amount of money to the revenue.

Mr. GILLIES wished to call attention to the state of the law as regarded these Crown grants. The provisions of the Bill might prove very useful, but he thought it might have gone a little further. Honorable members were aware that, by the Crown Grants Act of 1866, certain fines were imposed for not taking up the grants within a certain time, a fine of sixpence a month being levied upon every grant lying in the offices three months from the time when it was issued. These fees had amounted to very large sums, as he had been informed by an honorable member of that House, without the parties to whom the grants were issuable being aware that they were ready to be issued. He referred to the honorable member for Akaroa, who assured him that in his own instance such had been the case, a large amount of fines having accrued without his knowing that the grants were ready for issue. He was aware that they were notified in the *Government Gazette*, but when they knew how small the circulation of the *Gazette* was in the country districts, and how very unlikely these matters were to come to the knowledge of parties residing in those districts, they could not be surprised at persons complaining of these fines and fees. By the provisions of clause 4 of the Act, when the fees amounted to £1 they might be recovered by the Commissioner in a summary manner. It appeared to him that if the Commissioner neglected to perform his duty to recover those fees when they amounted to £1, the fees should not be allowed to go on accumulating to a large extent, as he was assured by the honorable member for Akaroa they had accrued in his case. He thought these fines ought to be abolished, seeing that power was given to enforce the payment of Crown grant fees immediately the grants were ready for issue. It seemed to him very unfair that they should have power to enforce the payment of the fines against the grantee, and yet the officials, whose duty it was to enforce the payment of the fees, might neglect their duty and make the grantees pay for that neglect. He brought these things under the notice of the Government in the hope that they might be amended. The other provisions of the Bill he had great pleasure in supporting.

Mr. ARMSTRONG said, with reference to what had fallen from the honorable member for Mongonui, he understood the Premier to say "Hear, hear," when that honorable gentleman said the fines were gazetted. In his case they were never gazetted. The grants were issued before the Act came into operation, and no notice was given to him that they had been issued. It was not his wish to allow the grants to remain in the office; he was quite willing to take them up, but they remained there unknown to him.

Mr. WEBSTER said he supposed that at least one-third of the people in this country had been subjected to some annoyance in connection with

Crown grants. He agreed, to some extent, with the provisions of the Bill, but it appeared to him that they began at the wrong end. If he saw a penalty imposed upon the officer in the Crown grant office for not issuing these grants within a certain time, he would be more ready to concur in the penalty upon the grantees for not taking them up. During three or four years' residence in this country he had received more annoyance in connection with Crown grants than with anything else connected with the public service. Although they were obliged to pay for the land immediately, it frequently happened that they were two years before the Crown grants were issued. In private transactions they could insist upon receiving their titles to the land as soon as the purchase was completed, but the Government were unassailable in this matter. He thought that a condition should be imposed upon the officers in the Crown grant office, to issue the grant within six months from the time of application.

Mr. O'NEILL agreed with the honorable member who had just spoken. He knew that in some parts of Otago great difficulty had been experienced in reference to Crown grants. He had had some correspondence with the Secretary for Crown Lands on the subject, and explained to him the difficulties that had arisen in respect to the issuing of Crown grants. After a considerable amount of correspondence, it was shown that the fault did not lie with the Secretary for Crown Lands in Wellington, but with the officers who had the charge of getting up the Crown grants in Otago. The delay was felt to be a serious inconvenience, for there seemed at one time to be no possibility of obtaining Crown grants at all.

Mr. MACANDREW said this was a question which came up every session. He believed that the real remedy was to put in practice the provisions of the Crown Grants Act of 1862, and to abolish the Crown lands office in Wellington, for he believed that as long as that office existed they would always have difficulties. He saw no necessity for keeping up that establishment. He was perfectly satisfied that if the provisions of that Act were put in force, and the Crown grants were issued in the various Provinces, all these complaints would fall to the ground and the Colony would be saved the expense of keeping up that establishment, which he believed to be perfectly unnecessary. He had his own ideas as to how that office was created, but he believed the sooner it was abolished and they fell back upon the provisions of the Act of 1862 the better. He was convinced that all these complaints would cease, and that the Crown grants would be issued much more speedily if the provisions of that Act were put in force. He was aware that a prejudice existed in the minds of many people about having the signature of the Governor to the Crown grants, but that prejudice would wear away if the Act were brought into operation.

Mr. FITZHERBERT was unable to concur in the opinion expressed by the honorable member for Wallace, that the penalties imposed upon grantees for not taking up their Crown grants

should be weighted on the other side by penalties on the officers in the Crown lands office for not preparing the grants for issue. The fault did not lie with the officers to whom the honorable member alluded, but in the imperfect surveys of the country. The honorable member was asking, in reality, that the officers in the department should make bricks without straw. It was not merely to draw out on a piece of parchment a certain number of words and a certain plan that was required—that was merely clerical work which could easily be performed by any one; but the real cause of difficulty was the want of an accurate survey of the country, set out on a well-defined map, on which the relative position of the land granted should be accurately shown. If they had that information in the office the clerical work could be easily done. He did not think that any blame could be justly attached to the officers on that account. In respect to the proposal that, as a remedy for the existing evil, the Crown grants should be signed by the Superintendents of Provinces, there was this to be considered: that while the strong feeling to which the honorable member for Clutha referred existed in the minds of the people—whether they called it prejudice or not—it was a feeling that they must respect, namely, the desire of people who possess real property to have the signature of the Governor of the Colony to their title deeds. He was quite sure that if such a plan were proposed there would be great objection raised to it on account of the prejudice to which the honorable member had referred; but, in addition to that, he was one of those who desired to see the lands of the Colony dealt with in a manner which, while respecting local rights and interests, should be assimilated to the utmost degree compatible with those interests. Holding those views, he thought it would be exceedingly unwise to abolish that which they would afterwards require to re-establish. He thought the blame did not lie with the officers who prepared the Crown grants in the different Provinces, nor with the officers in Wellington, who issued the Crown grants; but if they were to impose penalties upon the officers for not performing their duty, they would have to be imposed on the Provincial Councils for not voting a sufficient sum for the surveys.

Mr. MACANDREW, in explanation, said that the Crown Grants Act of 1862, to which he had referred, had been allowed to remain a dead letter on the Statute Book. He did not say, as the honorable member for the Hutt (Mr. Fitzherbert) had assumed, that the Superintendents should issue Crown grants: what he did say was that the Act of 1862 provided that a board should be appointed, of which the Superintendent need not necessarily be a member.

Mr. CREIGHTON would be sorry to see the House adopt the suggestion of the honorable member for Clutha.

Mr. MACANDREW.—It is the law.

Mr. CREIGHTON.—Then the sooner that law was repealed the better. The argument of the honorable member for the Hutt (Mr. Fitzherbert) was conclusive as affirming the principle he (Mr. Creighton) had endeavoured to enunciate in that

House, that the General Government should resume the administration of the waste lands of the Colony. If it were true that, after the expenditure of nearly half a million of money in that Colony for surveys, they were not in a position to issue a Crown grant within a reasonable time, then the whole system of administering the lands of the Colony had broken down. He knew that in the Province of Auckland serious complications would arise, which would afford work for the lawyers, owing to imperfect surveys. He happened to know of an instance in which the same land had been conveyed to three several grantees. One unfortunate man had spent a considerable sum in building a house, improving the property, and planting a garden, and afterwards found that the land which he had improved had been previously granted to another person.

Mr. FOX.—By whom granted?

Mr. CREIGHTON.—By the Governor of the Colony. That was a case which illustrated what the honorable member for the Hutt had said—that the surveys of the Colony, under provincial administration, had been so imperfect as to be utterly unreliable. He was not prepared to say who recommended that the grant should be made. An honorable member said that it was done before the Provinces had anything to do with it. He knew that it was a provincial survey, and that it was not before the Province had anything to do with it. It was land granted under the forty-acre system. He trusted that the House would be induced to look upon this as a colonial question, and that it would take steps to put the administration of the waste lands of the Colony into the hands of the General Government. Some Provinces might have the surveys made and be able to pay for them, but there were other Provinces which endeavoured to starve their surveyors by advertising for tenders and taking the lowest, whether the person was competent to do the work or not. With regard to the Province of Auckland, if all the Crown grants which had been issued were collected and put in a map it would be found that nearly one-third of them overlapped. To continue the present system was simply to multiply the evils which already existed. If they could get such a system introduced into this Colony as had been adopted in the United States of America, where a man got his title to his land within two hours of the time he paid his money for it, it would be a happy thing for this country. He thought, taking all circumstances into consideration, the Government ought to remit the fines, more especially as they were not in a position to issue Crown grants when the grantees paid for the land. There was manifest injustice in asking a man to remain for years in expectancy of receiving his grant, after he had paid his money for the land, and then requiring him to pay a fine if he did not take it up the moment it was ready. He trusted the Government would face this question next session, and endeavour to bring in a Bill which would place the waste lands of the Colony on something like a general and proper footing.

Mr. WEBSTER merely wished to explain. The honorable member for the Hutt (Mr. Fitzherbert) made a statement which was hardly correct as regarded the Southern portion of the Colony. He desired to explain that there the surveys were, in all cases, completed most admirably, within three months after the purchase. He had purchased some thousands of acres, and in all cases the surveys had been completed within two or three months, in the most perfect manner, and everything ready and complete for the issue of the Crown grant. He had been kept as long as two years for the issue of the Crown grants, without being able to get them, which was a great inconvenience, as it was well known that the Crown grants were valuable securities for raising money. He would give an instance of delay which occurred in his own case in respect to the issue of a Crown grant. On one occasion he discovered that the parchment which was invariably used in the office was not of a size sufficient to enable the authorities to put on it a plan of the allotment which had been purchased, and the result was that he had to get it drawn on parchment which he obtained outside the land office. They had actually not got parchment in the office on which a plan of the allotment could be drawn.

Mr. CARLETON said he agreed with what had been stated by the honorable member for Mongonui, that, as it was the intention of the Government to collect the fees and enforce payment, the fines ought to be remitted. The argument appeared to be unanswerable, for if a Government had the power to collect the fees, and still fined persons for not paying them, it would then be punishing others for its own neglect. As, however, the question regarding the surveys had been raised, he desired to offer some suggestions to honorable members on the Government benches as well as to the provincial authorities. It was true that there had not been a complete survey of the Province of Auckland. A certain portion of it had been surveyed with perfect accuracy, whilst another portion was very wide of the mark, and not at all entitled to be called a survey. Unfortunately, various portions of the Province of Auckland had been surveyed on two diametrically opposite systems. Not being a surveyor, he did not like to use technical terms, but one was the usual trigonometrical system from a base line, and the other was a make-shift system of what he believed were called "trig points;" money thrown away, for the two sets of surveys would not join on the same map. Good surveys had been made within the Province by those surveyors who were employed by the Native Lands Court. They had gone over the ground surveyed previously, and had found the surveys to be very defective. What he would suggest was this: that the General Government and the Provincial Governments should combine their forces and enlarge the present staff of the Native Lands Court. In that way the Colony could be surveyed on a uniform system and at far less cost. In his Province, through an arrangement between the Superintendent and the General

Government, the principle of amalgamating the police forces had been adopted. The police force had been made a provincial and colonial force, thereby increasing the efficiency of the department and very much lessening the expense. He did not see why the same principle of combination should not be adopted in connection with the survey offices. He was not bound to make a motion or an amendment on the point. He simply threw out a suggestion to gentlemen on the treasury benches.

Mr. W. WOOD said he thought the Government would see the necessity for making some alteration in the direction pointed out by almost every honorable member who had addressed himself to the question. He could speak of much injustice that had been done in the Province of Southland, where the surveys were good; nevertheless, great delays had taken place for many years past in the issue of Crown grants. He had land in that Province, he had improved it, and lived upon it; the surveys had been made for years, but the issue of the Crown grants had been delayed. Certainly, he from time to time saw the *Gazette* and the newspapers, and the delays which had arisen had not affected him injuriously, especially as he never attempted to sell the property; but there were many other persons who had laboured under very serious difficulties, and who had sustained great injury in consequence of the delays which had arisen. During the first session in which he had the honor of sitting in that House, he made it his business to see if something could not be done to insure the people of Southland being supplied with Crown grants; in fact, when he was elected he promised that he would do so. When he arrived here, however, he found that there were only four or five grants left in the office: a large number had just been forwarded to Southland, and considerable time elapsed before they could be registered and issued to the owners. It was supposed, in Southland, that all the delay took place in Wellington, but it afterwards appeared that that was not the case. Many of those people concerned in the issue of Crown grants resided in the country districts. They seldom saw a newspaper and probably never saw the *Gazette*, and then, after having waited years for their Crown grants to be issued, and having lost every opportunity of selling their properties, or after having laboured under other difficulties, they found that a law was passed which provided for the infliction of a penalty if they did not remove their Crown grants as soon as they were ready. That was, in his opinion, a great injustice, and no time should be lost in getting it remedied. One honorable gentleman had said that it was now too late to deal with the matter. That might or might not be the case, but he thought it was not too late to issue instructions to the effect that where Crown grants were merely detained in respect of fines, that, on condition the fees were paid, they should be removed without paying the fines. That might be done without any law being passed, or, if it should be found necessary, a very

short amendment would be sufficient to meet the case.

Mr. DIGNAN said he could not agree with everything that had been said regarding the surveys which had been made in Auckland. The defects alluded to were attributable to the manner in which the land had been acquired from the Natives. No general map was prepared by which it could be said, This is our own land. A proper trigonometrical survey of the Province had not been made. In the early days of the Province he applied to the Colonial Secretary in the matter. He had discovered that there were some inaccuracies in one of his Crown grants, and on attending at the land office for the purpose of having the errors rectified, he was sneered at by some of the officials, who asked him if he was going to dictate to the Government the way in which they should carry out their surveys; but when he brought the matter under the notice of the Surveyor-General, that gentleman directed that a fresh grant should be issued. Some years afterwards he discovered inaccuracies in another grant. Ultimately, there was a Bill passed, entitled the Crown Grants Correction Act, and under that Act the difficulties which he had alluded to were remedied. As he had before stated, however, he attributed all the difficulties which had arisen to the manner in which the Government acquired land in patches from the Natives, and to the fact that a proper trigonometrical survey of the Province had not been made.

Mr. STAFFORD said he did not see why the Government should act in accordance with the suggestions of the honorable member for Invercargill. He had himself been a sufferer from neglecting to take Crown grants from the office, and had been compelled to pay considerable fines since the Act was passed. Nevertheless, he thought the existing system was quite fair. The fact was, the various offices had become incumbered with Crown grants which had been left there for safe custody. It had been stated that the delay which occurred in regard to the issue of Crown grants arose in the office in Wellington, but that statement had been refuted over and over again. He had shown in a previous session that there was not a single grant in the office which had been there for a longer time than three months, although some had been detained on account of apparent inaccuracies in drafting. Again, they should not forget the fact that, when the Governor was absent from the seat of Government, some time must elapse before his signature could be obtained. He bought land in the early part of 1862 for which he had not obtained grants, although he had applied fully twenty times for them. He bought land in the Turahina district, and sold it some years ago, but he was unable to get the Crown grant for seven years, and when he did get it he was told that a special exception had been made in his favour, and that people who had purchased land seven years previously had not obtained their grants. Of the Province of Otago he had no personal knowledge. He had not bought land

there direct from the Government, but wherever he had purchased land direct from the Government, with the exception of the small Province of Marlborough, he had had to wait from two to ten years before getting the Crown grants. It was not a fact that the delay arose in the office of the Secretary of Crown Lands. It arose in the local offices. What had been his case had been the case of many members of that House.

Mr. CRACROFT WILSON, C.B., said he had been a party to the passing of the Crown Grants Act, imposing a penalty on those who failed to take up their grants within a certain time. He thought the provision was a proper one, but the Ministry should be aware that there were cases of hardship which pressed very severely upon people who were not to blame in the least. He could speak of a case which had come under his observation. Some years ago he purchased from a neighbour his pre-emptive rights, the neighbour stipulating that when the pre-emptive rights were challenged by an intending purchaser, he (Mr. Wilson) should receive £60 from the neighbour,—the price of thirty acres out of the land included in the pre-emptive rights,—buy the thirty acres, in his own name, from the Provincial Government, and at once transfer the license to occupy to the neighbour. The whole of the land included in the pre-emptive rights was challenged, and he (Mr. Wilson) obtained a separate license to occupy the thirty acres alluded to, and at once indorsed it, and delivered it to the neighbour. He would call himself A and the neighbour of whom he had been speaking B. He would give names if honorable gentlemen required him to do, but he did not think it was necessary. B sold the land, with other land, to C, with the license to occupy; C sold it again to D; D mortgaged it to E, and a few days ago a notice was issued to him (Mr. Wilson) that he should himself take up the Crown grant. Delay occurred in the preparation of the grant, but he was called upon in the *Gazette*, about six months ago, to take up the grant for the thirty acres to which he had alluded. He went to the office, and explained that he had no right to these thirty acres, and that he could not take the Crown grant out of the office, because he had not the license to occupy in his possession. He had no doubt that another *Gazette* would be published in which his name would appear, although he could not take out the grant because he had not a license. In that case he should be fined under this law, besides being liable to other penalties; he should, in fact, be liable to penalties for the non-performance of an act which he could not perform.

Mr. STEVENS said it had been remarked by an honorable member that a hardship was inflicted by power being given to recover the fees, as well as to charge an extra fee, but, in fact, that was no greater hardship than was imposed under the Act of 1866; because, under section 41, when the extra fee for the non-taking up of a grant reached £1, it must be recovered in a summary manner, so that he did not see there was any more hardship in one case than another. He

agreed, generally, with the honorable member, that where there was power to recover the fees it was hardly necessary to continue the practice of charging fines for not taking up a grant when it was gazetted. By clause 4, it appeared to be intended that all persons who might have legal estate coming to them should be liable to pay the fees—mortgagees for instance. He thought that to make it compulsory on mortgagees to take up the Crown grants of mortgaged property was a hardship. Although it might be true that their titles were not complete for selling purposes, surely it was a severe imposition that they should be liable to pay the fines which would attach to Crown grants extending, perhaps, over a long period. If they had the power of recovering against the mortgagor, that would be quite sufficient.

Mr. BRADSHAW said it had been admitted that in Otago a complete survey had been made. He purchased land in Otago in 1864, but he had a difficulty in getting his Crown grants until 1867. He represented other parties in 1868, but he was then unable to get Crown grants for land purchased in 1863 and 1864. At the office at which he applied he was told that it was not the fault of the officials in Otago, but that the blame rested upon the shoulders of other parties. There seemed to be a disposition to lay the blame upon those who were stationed at head-quarters in Wellington.

Mr. BUNNY said he did not think that people had any objection to the payment of the fees which accrued upon their grants; he believed that the great evil which existed was the inability to get their grants at all. That, at least, was the evil of which a large portion of the population of the Province of Wellington complained. No doubt, as had been stated, the surveys in some portions of the country were very incomplete, and the delay which had been complained of, in regard to the issue of the grants, arose from some fault in connection with their preparation. They knew, however, how apt some people were to throw upon the shoulders of others responsibilities which they should themselves bear, and, probably, provincial authorities did feel disposed, at times, to blame others for what they were themselves responsible. They had, no doubt, as regarded this Province, great reason to complain of the delays which had occurred in regard to the issue of grants. For properties which had been purchased twenty years ago no grants had been issued, and he thought it was difficult to say when they would be. The evil had arisen in various ways. Land had been sold prior to any survey being made. A great amount of money had been taken in respect of unsurveyed land, it had been spent in various directions, and now they had not money to spend in the completion of the survey of the lands. It was an evil which the Colony would have to deal with, for many persons were suffering a grievous wrong, inasmuch as, amongst other things, they were unable to deal with their properties. Several parties had spoken to him on the subject, and had wished him to bring the matter regarding their grants before the House. The evil would never

be remedied until it was dealt with by the House, and money provided by the Colony to complete the surveys.

Mr. BORLASE said the honorable member for Wairarapa had hit the right nail on the head. It was the practice of selling the land before survey that had caused all the mischief. He did not see how that was to be remedied at present, but some action would have to be taken by the Government in order to give titles to people, and to the descendants of people, because twenty-five years ago there were men who ought to have had grants and had not got them up to the present time. Honorable members had spoken of their own experience, but he could speak of the experience of scores of people. With regard to the question that was before the House, he would like to make one or two practical suggestions to the Government. He did not think they ought to give up the fines for the delay in taking up the Crown grants; at the same time he thought circular letters should be forwarded to the persons who were entitled to get the Crown grants at the time they were issued. It would not cost much to carry out that suggestion, and he believed it would be of great service, as he knew that there were scores and scores of people who really did not know anything about their names being gazetted, and parties who bought land, which had been sold and resold over again, when they saw that a Crown grant had been issued to the original holder, did not think that it affected their land at all. With regard to the remarks of the honorable member for Coleridge, about sales from different parties not being recorded, he said that they should be recorded, and, in fact, he believed they were recorded in the Government office from which the Crown grants were issued, so that they would know to whom to send notice when the Crown grant was ready to be taken up. There was another suggestion which he would make to the Government with reference to clause 3. It appeared to be a great hardship, indeed, that the grantee for all time was to be liable for the costs of the grant as long as it lay in the office. It should be the grantee or his assigns. That was a very trifling amendment, but a practical one, and he believed would make the Act work better. The party to whom the original grantee sold the land should be the person really entitled, because, after the original grantee had sold the land, he might not be in the Colony. The person who was beneficially interested ought to be the person to have the grant and the person who ought to pay for it. He had no sympathy whatever with an honorable member who mentioned that it was a hard case upon the mortgagee. It was not so, for the mortgagee could take care of his own interests, and besides, he generally employed a lawyer. He trusted that the suggestions he had thrown out would receive the favourable consideration of the Colonial Treasurer.

Mr. MCGILLIVRAY agreed with the honorable member that there was great complaint of the delay in the issue of Crown grants, and objected to the infliction of fines altogether. He knew a case, which occurred very recently,

where the first intimation an individual had of there being Crown grants in his behalf, was conveyed to him in the very disagreeable intelligence that there was a fine of £5 to be paid upon the grants, on account of the time which they had laid in the office. Looking at it in that light, he entirely agreed with the honorable member for Wellington, that the parties might at least have personal notice given to them that the grants were ready. But, as means were, by the present Bill, provided for compelling the payment of the fees, he looked upon it as most unjust and unnecessary that any clause should remain in the Statutes inflicting any such penalty for delay in taking up the grants, and if the Commissioner of Crown Lands had the power of enforcing payment when the fine amounted to £1, then it was quite inexcusable on his part that he should allow the penalty to accumulate to such an extent as £5. He therefore hoped that the Government would see their way to the total abolition of those fines, as a hardship on the grantees.

Mr. TAYLOR thought the Government would not act wisely if they gave up the fines. In their present state of impecuniosity the amount of £17,000 or £18,000 was worth considering, and he was certain it was a great convenience to many owners of Crown grants that they had a place to deposit them where they could be safely kept,—he was satisfied many people would be perfectly willing to continue to pay for the sake of safe custody. The recovery of the fines by legal process for such small amounts as £5, was, to his mind, impracticable, as the difficulties in the process of recovery were so great that it would never be enforced. He did not mean to say that the Government ought not to have the power, still, he thought that in practice it would very seldom be enforced.

Mr. VOGEL said the objection which had been raised to continuing to charge a fee was met by the fact that, although the Bill did give power to recover all fees, yet, it was not by any means complete in that respect. The charge which was made was strictly a custody fee of sixpence per month. As long as that charge was made, it was paid by the person to whom the Crown grant belonged quite voluntarily, and it was always within his power to remove the deed whenever he found it convenient to do so. But if they said, because the Government had the power to recover they should not have the right to charge for custody of a grant, they would impose upon the Government one never-ending course of law proceedings. It was a very great convenience to a large number of persons to leave their deeds in the custody of the Government until they were compelled to remove them. When there were a large number remaining in arrear, it might be convenient from time to time to obtain the moneys due upon them, but certainly it would not be convenient to be constantly taking proceedings as soon as every Crown grant was ready. Then, honorable members should consider that it might not be always practicable to get at the person who ought to be sued; and, in short, although they might recover a great deal of money under the

Act, it was very certain that they would by no means be always able to manage that Crown grants should be taken away when they were ready, or that there could be an avoidance of the accumulation of unclaimed grants, which would remain in the land office for a considerable period, and on which the custody fees would have to be paid. But it was no part of the policy of the Bill to say that those who were charged what might be considered a very small amount for the responsibility of custody, should evade the payment. It was not a light thing to take charge of those deeds. In many cases, considerable inconvenience was experienced through deeds which had been prepared having become damaged through damp or water, so as to necessitate their being drawn out again. It could not be said that six shillings a year was a heavy charge, seeing that it was an optional charge. He trusted honorable members would not press the point. He might also state that so insufficient was the Bill likely to prove in the way of absolutely compelling the Crown grants to be taken up at the time when they were ready, that he should prefer to leave matters as they were, than to relinquish the custody fee. He had consulted the Commissioner of Crown Lands, who assured him that the charge was not one which was complained of, but that it was considered perfectly reasonable for the responsibility undertaken. It was one which might be put an end to at any time, by payment of the amount due, at the rate of only sixpence per month. The Commissioner of Crown Lands also expressed a very strong opinion that, if the penalty was remitted, the Government would in almost all cases have to sue. He hoped honorable members would allow the Bill to pass without the amendment which had been suggested.

Mr. CARRINGTON considered it just and fair, if the parties had been notified that the Crown grant was ready to be issued, that they should pay the fee; but, if they had not been notified, he should think it rather arbitrary that they should be charged.

The Bill was read a second time, and ordered to be committed next sitting day.

PAYMENTS TO PROVINCES BILL.

Mr. VOGEL said the consideration of the amendments made by the Committee in this Bill had been postponed at the instance of the honorable member for Mongonui, who desired to get the Bill recommitted. He wished to say, in reference to the honorable member's proposal for recommitment, that the Government must resist any attempt at alteration. As had been explained over and over again, the Bill had been drawn up with great care, with the object, as far as possible, of doing justice to the different parts of the country. It was fairly a question, considering all the circumstances of the North Island, whether any allowance should have been made on account of the Native population. It was fairly a question whether the special expenditure on the Natives, and the defence expenditure, was not of such a nature as would justify the Middle Island in saying that there

should not be a capitation allowance for the Natives paid to the Provinces. On the other hand, it was thought that there were a certain number of Natives—and he hoped that that number would increase—who had conformed to civilized practices, and abandoned their tribal institutions, and who fairly contributed to the revenue; and it was thought that an allowance should be made for them. That allowance was fixed with a view, as far as possible, of doing justice between the different Provinces concerned. He was sorry to see any invidious comparison instituted between the Provinces of Hawke's Bay and Auckland, as to their capabilities, and the condition of the Natives in each Province. It was sufficient to know that the allowance made to Hawke's Bay, added to the other amounts, simply left that Province very little better off for the capitation allowance. On the other hand, there was no doubt that Auckland was largely benefited by it. Auckland would benefit immensely by the capitation allowance, as was explained the other day. The allowance would give the Province considerably more than it received last year, which was unusually prosperous. They might be sure, also, that when the distillery was established in Auckland, as was proposed, Auckland would be a Province which, under the existing arrangement, would suffer considerably by the establishment of such a distillery, unless the loss, instead of falling on the Province, was distributed over the Colony, as would be the case under the new arrangement. He hoped the honorable member for Mongonui would content himself with the protest he had made, and, remembering the substantial benefit which his Province would receive, would not press his proposal for the recommitment of the Bill. The Government would ask the honorable member to recollect that he presided over the largest Province in the Colony, and should have some kindly feeling to his smaller and more humble neighbours. Further, the honorable member should not forget that, as a Province, Hawke's Bay also had its duties to fulfil, and that, under the Bill, it certainly could not be said to be benefited very much. He moved that the report of the Committee be adopted.

Mr. GILLIES was quite aware that, after the announcement which had just been made by the Treasurer, and which had been made on a previous occasion, it would be quite hopeless for him to attempt to have the Bill recommitted to have any alteration made in it, and, therefore, he should not attempt to do so. But, before the amendments of the Committee were agreed to, he would take leave shortly to put before the House what he would have put before them in Committee, in order to show the exceeding injustice of the distribution that had been made. He, of course, could not hope that his remarks would have any further effect than to point out the fallacies which had been enunciated by honorable members who supported the distribution.

tion, and he thought honorable members would acquit him of any such intention. He had brought the subject forward because he thought that a fair distribution might be made to other Provinces, and to show that, in the case of Hawke's Bay, an injustice had been done by giving it a larger share than it appeared to him to be entitled to. Of course, a reason had been given by the Premier and the Colonial Treasurer why Hawke's Bay should get a greater consideration than other Provinces, which was, that she had lost by the distribution of the capitation allowance. If it had been put in that light at first they could have understood it, but that was not the light in which it was put by the Colonial Treasurer in his financial statement. He (Mr. Gillies) had referred, on a previous occasion, to the financial statement, in which it was put purely and simply upon the ground of the Native population, and not upon the ground of bringing the capitation allowance up to the proportion that would be necessary in order to make it equal to what it was formerly. Had it been put upon the latter ground it would have been a different question, but the Colonial Treasurer referred to it in the financial statement in the following words:—

"There is some difficulty in deciding what contribution should be made on account of the Maori population. It would not be fair to give a contribution on account of those Maoris who roam about the interior, and who are apt to cost more than they contribute to the revenue; but there are Maoris on whose account a contribution should as justly be made as on account of Europeans. We have thought over many plans for estimating these, but we can arrive at no better proposal than an arbitrary one of £3,000 each to Auckland and Hawke's Bay; £1,500 to Wellington; and £500 to Taranaki. The Maori population of Hawke's Bay undoubtedly contributes very considerably to the revenue."

That was putting it solely and simply upon the ground of the contribution of the Maori population to the revenue, and it was that fallacy which he wished to point out. Notwithstanding what was stated by the Premier in regard to the Natives of Hawke's Bay contributing so largely to the revenue, he said, emphatically, that they did not contribute so largely to the revenue as the Natives to the north of Auckland did. Notwithstanding the large rentals that were derived by the Natives at Hawke's Bay, still larger rentals were derived by the Natives at the Thames, who spend the money equally freely, and the Natives of the Thames and of the north lived in a truer European style than did the Natives of Hawke's Bay. He was informed by a gentleman who was intimately acquainted with Hawke's Bay, that the grand style of driving in carriages, and so on, by the Natives in that place, was one of those things which was very much of a fiction; that they went in for a time for getting buggies and driving about, and the storekeepers put off their old buggies with large prices upon them, and, in fact, had brought the Natives of that Province to a state of great impecuniosity. A petition which

was presented to the House only a day or two ago confirmed that to a very large extent, and pointed out how those Natives who ought to be wealthy and able to contribute to the revenue had been virtually robbed of their lands by means of grog and other modes which were detailed. That petition from the Natives would bear out the statement that they were not in that wealthy and flourishing state which would enable them to contribute so largely to the revenue as they had undoubtedly done in past times. Besides all the rentals which the Natives at the Thames were obtaining, the Natives of the north of Auckland were very large producers. They produced a large amount of the exports of the Province, such as kauri gum, and the money they received from that source was spent largely in the consumption of dutiable goods. He did not grudge Hawke's Bay being brought up to a level with the other Provinces, so long as it was only brought up to the level at which it otherwise would have been, but he had a strong objection to the rule of thumb mode of doing things under the pretence of acting on a principle. He would not detain the House longer, because, of course, when the Government had stated that they would not make any alteration, it was useless for him to propose it.

The report of the Committee was agreed to, and the Bill read a third time, and passed.

PAYMENT OF COMMON JURORS BILL.

Mr. HALL brought up the report of the Committee appointed to consider the amendments made in this measure by the Legislative Council. The Committee recommended that the amendments should be not acceded to, on the ground that the rate of allowance, as reduced by the Legislative Council, was insufficient.

Report agreed to.

HARBOUR BOARDS BILL.

Mr. VOGEL, in moving the second reading of this Bill, said it had been introduced in consequence of a promise made earlier in the session. It was a Bill of a very simple nature, and did not much alter the relative powers of the Provincial and General Governments. It gave power to the Governor in Council to constitute a harbour board, and it regulated the mode of election. It recited powers already possessed by the Provincial Councils, as to constituting endowments in the shape of reserves for harbour boards, and giving power to sell and mortgage the same. It then went on:—The Governor in Council may delegate his powers—just as much as he may now delegate them—to the Superintendent, and at the same time it gave the Superintendent power to delegate those powers to a marine board. There was a provision by which a municipal council might make arrangements with a harbour board or trust to provide the funds for endowing it to some extent, for reclaimed land brought within the limits of the municipality. It was quite legitimate for the Council to allow some money, in case of the reclamation of land within its limits. Such were the general powers of the Bill. He ventured to say that there were many

parts of the country in which, if the Bill were passed, it would be found of considerable advantage. He therefore begged to move the second reading.

The Bill was read a second time, and ordered to be committed on Tuesday.

DISQUALIFICATION BILL.

Mr. FOX.—I trust that the second reading of this Bill will not necessitate any lengthened debate. Although I know that there is a considerable difference of opinion in respect to the Bill, yet, considering resolutions on the same subject have been under discussion on two previous occasions, and that several sittings have been occupied in listening to the views of honorable members as to how far this disqualification for seats in the House should be carried, I think we may conclude that it has been already thoroughly discussed. The Government have given the subject very considerable attention. After ample consideration, in fulfilment of a pledge given last session, I tabled the first resolution which I laid on the table of this House in the early part of the session, and which, practically, went to the same extent as the Bill of which I have now the honor to move the second reading. Honorable members, in discussing the resolution of the honorable member for Mongonui, and the amendments of the honorable member for the Hutt (Mr. Ludlam) and the honorable member for Coleridge (Mr. Wilson), expressed their anxiety to see provincial officials disqualified as well as General Government officials. As I stated then, I am opposed to any such sweeping disqualification, as I see no just reason for such a course. In the draft of the present Bill, honorable members will not see any provision for the disqualification of provincial officers, though an amendment to that effect was carried on the motion of the honorable member for the Hutt. The Government cannot see its way to any such disqualification, therefore, so far as the disqualification of officers goes, it has been limited to officials deriving their position directly from the Government and receiving salaries from the House. Whether temporarily or permanently connected with the Government, on the civil list, in the form of commissioners or other officials, the Government have made the disqualification as fully as they could without excluding those who should not be excluded. There is another point which was also discussed at considerable length, that is, relative to the exclusion of contractors. After fully considering this subject, and consulting with the Attorney-General, I confess I do not see my way to introduce a clause into the Bill which would operate inconveniently, if not injuriously, and interfere greatly with the ordinary business of the country. However desirable it might be to disqualify those holding large railway, steam, or other contracts, it is next to impossible—it is impossible—to draw the line so that you shall not make a sweeping disqualification of parties holding a great variety of small contracts, and dealing with the Government in moderate amounts, and who are not at all liable

to be affected politically thereby in their position as members of the House. It has been proposed—and I dare say that it will be proposed again—to disqualify all persons holding contracts to an extent not lower than £50, £60, or £100. All I can say is, as regards such arbitrary limits, that there has been no reason shown why the limits should be taken on one side or the other. If it is just to disqualify a person holding a contract for £50, it is equally just to disqualify a person holding a contract 10s. under £50. If you make it absolute, every elector who sells a ton of coal, who has a contract for printing, or anything of that kind, would find himself disqualified. There would be instances occurring of honorable members abdicating their seats for selling a horse to the Government, or performing some trifling local service, without there being any sufficient cause for disqualifying them. For these reasons the Government have not attempted to frame a clause having for its object the disqualification of contractors, but if any honorable member can propose a clause to that effect which will meet the wishes of the House, and which the Government would not consider unjust or inexpedient, the Government would not be opposed to such a clause. I trust that, as the ground has been pretty well cleared, and as the question has been discussed at considerable length, it will not be necessary to protract the debate. At the same time, if any honorable members have any clauses to move, I hope the House will be prepared to hear and discuss them. I therefore move the second reading of the Bill.

Mr. CRACROFT WILSON, C.B., would support the second reading of the Bill, but when the House went into Committee he would move an amendment in clause 5, the object of which would be to exclude all provincially paid or salaried persons. He would also move an amendment in clause 7 to permit Superintendents to be elected, and another in clause 8 to exclude all contractors. Clause 9 he had prepared in accordance with the bankruptcy law lately passed in the British Parliament, excluding certain persons from seats in the House. With all the other clauses he was perfectly agreed.

Mr. MACANDREW said that while he would not oppose the second reading of the Bill, he would, when in Committee, vote against one of its clauses, that, namely, which excluded a certain office-holder from its operation. He was opposed to making exceptions under the Act—making fish of one and flesh of another. If the Secretary for Crown Lands was to have a seat in that House, he saw no reason why Commissioners of Crown Lands and many other officers should be excluded. In supporting the second reading of the Bill, therefore, he desired to guard himself against being supposed to swallow it as stood.

Mr. CREIGHTON said he was about to mention the point alluded to by the honorable member for Clutha. Last year, the House, after considerable debate upon the question, came to a compromise over the Commissioner of Crown Lands Act, and, by the clause 7 of that Act, it was clearly understood that the Secretary for

Crown Lands was to cease to have a seat in the Assembly at the close of the present Parliament. That compromise was most distinctly arrived at. It had been pointed out to him—and possibly he had been overreached in the matter—that the Act, by the use of the word “hereafter” did not apply to the present incumbent of the office. The majority of the House would not have allowed the clause to pass if they had not understood that, at the termination of the present Parliament, the Secretary for Crown Lands should cease to have a seat in the Assembly. The word “hereafter,” however, evaded the point upon which the majority of the House had agreed. He would, however, endeavour to rectify that mistake in the present Act, and exclude the present or any future Secretary for Crown Lands from a seat in the Legislature, unless he were, as he considered he should be, a responsible Minister of the Crown. He (the Secretary for Crown Lands) should not be a permanent officer, but a responsible Minister of the Crown. The waste lands of the Colony should be in the hands of some person responsible to the House. The present office, as far as he understood, was really useless. It stood in the way of even a partial success of the administration of the waste lands of the Colony. He was making no attack whatever on the incumbent of that office; he was now merely speaking of the office itself, and of the functions which were performed by the Secretary for Crown Lands. He would say that the office, as at present constituted, was an obstruction to progress. He would maintain that, so far as he understood, the intention of the House last session was that, at the close of the present Parliament, that officer should cease to have a seat in the Legislature. He was surprised that the Government, in introducing this Bill, should have made such a pointed exception. He thought it would be a great mistake to lose the services of the present Secretary for Crown Lands in the Legislature, but he trusted the Government would take the Crown lands of the Colony under their own management, and that the Secretary for Crown Lands would be made a responsible Minister. He would support the second reading of the Bill, but when in Committee he would endeavour to have the clause amended, in order to exclude the Secretary for Crown Lands from a seat in the Legislature.

Mr. CARLETON was not going to raise any question which had been already virtually disposed of by the House. He still adhered to the principle that no man who drew public money, the payment of which might be stopped by any other person, should be allowed to have a seat in the House. He was sorry the Government had not seen their way to include contractors in the Bill. Nothing was more carefully guarded against in the old country than the influence of contractors as members of the Legislature. Even in the Auckland Provincial Council they had found the absolute necessity of excluding contractors. The exclusion was opposed for a long time, but the evil had gone on to such an extent that the Council, although unwillingly, was forced

to pass an Act disqualifying contractors. If he might compare small things with great, he presumed the same argument would apply in the present instance. The Premier, in arguing this matter, did not lay both sides of the question very fairly before the House. The honorable gentleman said it would be a hardship if any gentleman who did a little printing, or any trifling work for the Government, should be precluded from taking a share in the Legislature of the country, and that it would be hard, if he sold a horse to the Government, that he should be deterred on that account from taking a seat in the Assembly. But what was the other side of the question? Why should not those who were ambitious of a seat in the House abstain from those infinitesimally small profits? If a candidate preferred to make a small profit from a job of printing, or a five pound note from the sale of a horse, to taking a share in the legislation of the country, it was entirely at his own option. It would have been better if the honorable member at the head of the Government had laid both sides of the case before them, and left the House to decide between them. An objection had been made to the Bill, on the ground that it contained an anomaly—that it provided for an exception in the other House. It provided against depriving the present Commissioner of Crown Lands from a seat in the Legislative Council—not directly, of course, as he had the option of resigning or retaining his seat in the Council. Practically speaking, it was an anomaly in the Bill. He was not afraid of the word anomaly; indeed he could instance a great many anomalies that worked for good. In the present case it would most particularly so. He had stated, on a former occasion, that he did not think the receipt of public money applied with the same force to the other branch of the Legislature as it did to that House. However, setting that apart, they were going to emasculate the other branch of the Legislature, and make it weaker and weaker. Honorable members knew how many excellent members they had got rid of in the other branch of the Legislature, simply on account of the desire on the part of successive Ministries to carry out that which they supposed to be a principle. With regard to the office referred to, he would say that, of all the useful men in the Assembly, the Commissioner of Crown Lands was one of the most useful. If there was one matter more than another in which they ought to preserve some kind of uniformity, it was in the administration of the waste lands of the Crown. They should maintain the conservative influence in that matter. As Chairman of the Waste Lands Committee, the services of the Secretary for Crown Lands were invaluable, and there was no man on that Committee whose opinion he looked up to with more respect. He had no hesitation in saying that wherever he was in doubt, wherever he saw something to be said on both sides, he gave his vote with the Chairman, believing that he was much more likely to be right on the subject than himself. It was proposed that the Commissioner of Crown Lands should take a seat

upon the treasury bench, which meant that he should go in and out of office with every Ministry. The result of that would be the loss of that conservative influence in this particular matter which so many of them desired to protect and maintain. They all knew that the policy of Government in regard to the management of the waste lands had a tendency to vary with successive changes of Ministers. The Waste Lands Committee was a powerful check on that change, and the maintaining of the gentleman referred to as Chairman of that Committee was a great conservative check upon the Committee itself. He trusted the Government would be supported in that exception at least, however much they might be opposed in other portions of the Bill. In all probability he should find it to be his duty to vote against the third reading, and to move by way of amendment that the present Disqualification Bill be repealed, as it only went half way, and was an incumbrance rather than an advantage.

Mr. BUNNY would support the second reading of the Bill, and should certainly vote with that section of the House who were prepared to omit the proviso in section 6. The argument brought forward by the honorable member for the Bay of Islands had no weight whatever to induce him to make any exception, in a Bill of this sort, of any officer holding a permanent office under the Government. If they were to make any exception at all on the ground of the usefulness of any officer, and if any person should be exempted from the operation of this Bill, it should be the Attorney-General, who might take his seat in the other branch of the Legislature, and give to the Assembly the great benefit of his learning and experience. No one wished to find fault with the Commissioner of Crown Lands, but they did not wish to keep the conservative influence too much aloft. He did not see any good it had done to this country up to the present time. They were more likely to render service to New Zealand by stopping that conservative influence—that impediment which stood in the way of the progress of the country. With regard to the action taken by the Assembly in weakening the other branch of the Legislature, he thought the country was to be congratulated on the recent appointments made by the Government, of men who were well able to take part in the legislation of the country. He hoped they would make no exceptions whatever in the Bill. It would be desirable that the amendments of the honorable member for Cole-ridge should be printed on the order paper before they proceeded to consider the Bill in Committee.

Mr. HALL wished to correct the statement made by the honorable member for Newton, that it was the understanding last session that the Secretary for Crown Lands was to be excluded from a seat in the Assembly after the present Parliament. He (Mr. Hall) had something to do with the framing of the section of the Act which had been referred to, and he denied emphatically that there was any such understanding. It was worded so as distinctly to allow the present Secretary for

Crown Lands, so long as he held the office, to retain his seat in the Legislative Council.

Mr. TAYLOR said that, after the remarks which had been made by honorable members on all sides of the House, it might appear that he was going to do a stupid thing in voting against the second reading of the Bill. He was not an advocate for employes or officials holding seats in the House, but he did not approve of the mode which the Government intended to adopt to carry out their object. It might be asked if he had any other remedy to propose. The simple remedy which suggested itself to his mind was, that if any person accepted office under the Government he should be sent back to his constituents. The remarks which the honorable member for the Hutt had made, in a previous debate, had put this question in a fair and intelligible light before the House. They could not raise the morality of that House above that of the constituencies represented, and if they sent members who had accepted office under the Government back to their constituents, and their constituents, with the knowledge that their representatives held paid offices under the Government, chose again to return them, those members had a perfect right to their seats in the Legislature. There would be a difficulty in honorable members supporting this Bill carrying out their views, and making the various exceptions suggested. The honorable member for the Bay of Islands proposed an exception in favour of the Secretary for Crown Lands—on what ground? That his great experience entitled him to hold a seat in the other House. The honorable member for Coleridge proposed to except the Superintendents of Provinces.

Mr. CRACROFT WILSON, C.B.—My proposal was to include the Superintendents of Provinces, and to exclude the provincially paid officers.

Mr. TAYLOR.—Well, the proposal had been made by some honorable member to except Superintendents of Provinces, and permit them to hold seats in the House—and why? Because it was supposed they were particularly adapted for it. To carry out the principle, they should exclude all over whom any influence could be exercised. One member might have an influence over another, and they might exclude the whole of the members from seats in the House. There was no possibility of drawing the line. He would act according to his convictions, although he should stand alone.

Mr. FITZHERBERT said the views expressed by the last speaker were entirely in accordance with his own opinions with regard to his vote on this question, in Committee or in the House. If he saw the slightest chance of voting with any particular section of the House, he would vote backwards and forwards if he could possibly throw out the Bill; or if he thought there was likely to be a preponderance of those who would seek to disfranchise all officers, he would vote with them, although he disagreed with them, in the hope of throwing out the Bill. He had a strong conviction that they were now going upon a course that was fraught with great

danger. One section of the House combated the opinions entertained by another, and the Bill stood condemned from the diversity of opinion in the House. He thought it was quite right that the Government should take the lead in this matter; it was a great constitutional question, and one that should emanate from the Government benches, and it was a matter for congratulation that it had been introduced by the Government. There seemed to be a strong desire in favour of some sort of disqualification. Some were in favour of disfranchising all officers of the General Government not being responsible officers, while, on the other hand, some objected to those holding political offices, and others would disfranchise provincial officers. If the argument held good in one case it was equally applicable to the other; there was as much undue influence in the one case as the other. Then there was the objection raised to contractors. If they were going to disfranchise any persons, he would vote for disfranchising contractors. If there was any Bill at this particular juncture of affairs in New Zealand more demanded, it would be a measure which would operate in that direction now, when they were going to enter upon unusually large undertakings in respect of public works—when they were going to enter into large dealings with contractors in every part of the country—the largest dealings they had hitherto undertaken, whether colonial or provincial. It was sought to disfranchise any one who held a permanent office. He denied that the payment of such an officer depended upon the Government. His salary was not subject to the caprice of the Government. No Government dared to interfere with it. If any Government, no matter how strong its position, were to presume to exercise the strong whip hand if a vote were not given in their favour, and were given according to a person's conscientious convictions, such a Government would not long retain their position. Those persons were not, as had been represented, under the thumb of the Government; their salary was fixed, and could only be withheld for non-performance of departmental duties. But how was it with regard to contractors? First, as regarded the amount. Let them take some of the large offices, to the persons filling which they paid £800 or £1,000 a year. What was £1,000 a year compared with the probable profit of £20,000 in six months? There would be large contracts all over the country, and considerable profit must arise from them. While they were going to disqualify those who might be receiving £1,000 a year, taking the maximum amount, they were letting in wholesale and flooding the House with those who might be making ten times that amount. He did not know that the fact of being a contractor was otherwise a qualification for a seat in the House. He did not think the Premier had put the case quite as it should be put with regard to contractors. His argument was that it would be a hard case that, because a man sold a horse to the Government, he should be deprived of a seat in that House. That

was no more a contract than if any member went into Bellamy's and refreshed himself with a glass of mild beer. Contractors were more at the mercy of the Government than any other persons. There were the conditions and terms of agreement, more or less stringent, and the certificate of the Government engineer, and the numerous interviews that must take place; and then there was the question of the time for completing the contracts, and the penalties to be enforced. Those were all elements which gave the Government an influence over the contractors. While they were disqualifying persons with regard to whom the risk of corrupt influence must be extremely limited as compared with what might be supposed to operate in the case of contractors, who would be engaged in large and expensive undertakings, they were straining at a gnat and swallowing a camel. There were some who wished to sweep away all provincial offices, while others would entirely destroy anything that might be regarded as having a centralizing tendency. He thought all those views were wrong. He believed all honorable members would try to put a stop to any corrupt use of power. He said their means were clear. Their constitutional means were the people. They did not trust the people, but they trusted themselves.

Mr. MOORHOUSE said that, considering the probable circumstances of the Colony, he looked upon this Bill as being a very interesting part of the legislation entered upon this session. He quite indorsed all that had been said by the honorable member for the Hutt (Mr. Fitzherbert), as to the importance of disqualifying contractors. He had wished to say a word or two on that point himself, but it had been so ably done by the honorable member that he could not improve it by saying anything more. He thought the honorable member was quite right. But, as circumstances greatly alter cases, he thought it was quite necessary that action should be taken on the part of this House to repress that tendency on the part of the Provinces to interfere with the Colonial Government, as it was probable they would now interfere with increased force. Many members of that House, who had known him in that Legislature in bygone years, might probably be inclined to say it was bad taste on his part, and others might say he had undergone a violent change of opinion, when he got up to deprecate provincial influence on the colonial administration; but it was the duty of every man, at whatever expense, to consider the circumstances of the case to which he has to address himself. He believed that, notwithstanding the favourable manner in which the Legislature appeared to have received the proposals of the Government, it would be impossible for the Government to carry out those proposals unless the Legislature kept the hand of the destroyer from off the General Government. He did not use that word in too strong a sense. One of the great difficulties which the General Government would find in carrying out the very important policy which they had launched upon the country,

would be found in the officious interference of the Provincial Governments, who, moving in a much narrower sphere, would impede the operations of the General Government throughout the whole Colony. In that view of the case, he strongly recommended the House to take measures, so far as was consistent with good policy, to decrease, to a certain extent, the influence which Provincial Governments exerted in that House, by not allowing any paid officer or any member of the Provincial Executive, except the Superintendent of the Province, to hold a seat in that House. He should like, also, to see the same provision extended to paid officers of the General Government. In his opinion, if they accepted the proposals which the present Government had offered to the country, it was necessary that they should make a sacrifice of what, up to this date, they had always been in the habit of considering as something of very great value—the comparative independence, on the part of the Provincial Governments, of the authority of this House as a central Legislature. He could never be brought to consent to any surrender of provincial consequence—he thought that was the right word—of provincial power, until he saw an opportunity of effecting a change which, exerted over the whole Colony, would be a material benefit to the country at large. If they did not allow too many cooks to spoil the broth, an opportunity of effecting that change with advantage to the whole Colony was afforded in the measures of the Government. He hoped the House would cordially assist in carrying out what appeared to be the wishes of the Government, and that was, a determination to act upon its own judgment, under a just sense of responsibility to this Legislature, and firmly to resist anything like undue pressure from any source outside of that House, as representing the opinion of the whole Colony. With regard to the disqualification of particular officers by clause 6, he sympathized very strongly with what had been said by the honorable member for the Hutt (Mr. Fitzherbert), but, apart from that, he did not think that they ought altogether to lose sight of the enormous usefulness of an officer who might have a seat in the Legislative Council, chosen, most likely, on account of his being eminently fitted to administer one of the most important departments in the Colony, and who possessed special knowledge with reference to his department to an extent that very rarely happened to be possessed by any member of Parliament. There could be no doubt that the presence of such an officer would be of great assistance to the Legislature. He thought that exceptional action might very gracefully be taken by this House in that particular instance. He did not object to the clause as it stood at present, nor did he think it would interfere with the proposal of the honorable member for Newton, to take the administration of the waste lands of the Colony out of the hands of the Provincial Governments and vest them in the General Government. He did not think, however, that it followed as a necessary consequence of the acceptance by the House of the financial and material measures of the

the Government, that the administration of the waste lands should be taken out of the hands of the Provincial Governments immediately.

Mr. LUDLAM would say a few words on this Bill, although he had expressed his opinions pretty freely upon it on a former occasion; but when the honorable member for Coleridge moved his amendment he should give it his cordial support. The House the other afternoon arrived, by a small majority, at the same opinion as himself; and he hoped that the House, when it was undertaking the duty of rendering Parliament pure, would do so really. It was quite refreshing to hear what fell from the honorable member for Christchurch, after so long an absence from that House; and he was glad to see that the honorable member was taking a thoroughly sensible view of this matter. There could be no doubt that the officers of the Provincial Governments had large influence in that House; and the question as affecting them was, not the influence which the Government had upon them, but the influence which they had upon the Government. That was the mischief which the House had to guard against. With regard to the admission of contractors to seats in that House, he could not agree with the honorable member at the head of the Government, that we could not arrive at a definition as to the exact point at which a contractor should be excluded from that House. Looking at the enormous public undertakings they were about to engage in, it was the duty of the House to take care that its deliberations should not be influenced by the presence within it of persons holding large contracts in this Colony. He should support the Bill as far as it went, but should use his own judgment as to whether it was worth while to take half instead of a whole measure. With regard to what had fallen from the honorable member for Newton, he might observe that, if they passed the amendment, it was understood that they did not wish to exclude the Secretary for Crown Lands from a seat in the Legislative Council. They would find that the loss of his services would be much felt if they excluded that gentleman from a seat in that branch of the Legislature.

Mr. GILLIES said that after the part he had taken in bringing forward his resolution on this subject on a former occasion, he need hardly say that he should support the Bill as it stood, with the exception of the proviso in clause 6. Upon that point he had not quite made up his mind. With that exception, he should cordially support the Bill, and, also, any further provisions that might be introduced for the exclusion of contractors from a seat in that House. On a previous occasion he stated that he had no objection at all to the exclusion of Provincial Government officers as well as General Government officers from the Legislature; at the same time, while he had no objection to let honorable members try it, he certainly did not see any reason for it on the ground of their being in the House at present, nor did he see any reason for it on the ground of principle. He could not understand the honorable member for the Hutt (Mr. Fitzherbert), who seemed to him to speak from both sides of the

question, so that one never knew where to have him or what he meant. On one occasion the honorable member said he was in favour of all contractors being let into the House—that is, good contractors as well as bad; but now he said if one was excluded all should be excluded. On this occasion he told the House that he was still of the same opinion—that he did not see any ground for excluding or disqualifying contractors; but, if anybody should be excluded, contractors should. He had taken down the words from the honorable member's own lips,—“If anybody was to be excluded,” “if,” and he repeated the word, “if,” “if anybody was to be excluded, it should be contractors.” If he had misrepresented the honorable member he should be exceedingly sorry for it, as he had no wish to found any argument upon misrepresentation.

Mr. FITZHERBERT said the honorable member had expressed his sorrow at having misrepresented him, but sorrow was cheap—

Mr. GILLIES had expressed no sorrow; he had merely asked the honorable member to tell him if he had misunderstood him, as he had no wish to found any argument upon misrepresentation.

Mr. FITZHERBERT.—The honorable member, having expressed his sorrow and regret that he had misrepresented him—

Mr. GILLIES.—No, no, no.

Mr. FITZHERBERT would leave the House to judge. He would assume that it was so, and he was going to say that sorrow was very cheap when a man consoled with a person suffering under an infliction administered by himself, and expressed his extreme sorrow for it, while thump, thump, thump, went the whip just the same. He did not pay much regard to any expression of sorrow in such a case. But not content with referring to what he had said on a former occasion, and coupling with it a misstatement in this particular case, the honorable member generalized also, of which he (Mr. Fitzherbert) complained more than anything, for it was a thing which any public man had a right to resent; because, if any one thing more than another tended to destroy the influence which a man had in that House, it was to accuse him of going all round a question—speaking from both sides, and blowing hot and cold. He would tell the honorable member what he meant both on the former occasion and now: that he objected entirely to any disqualification; but if disqualification they must have, it ought to go all round. There could be no misunderstanding as to that. He thought his honorable friend had too logical a mind not to see the force of that reasoning—to his (Mr. Fitzherbert) mind it was perfectly conclusive. He went on to show the reasons why they should not exclude officers of the Provincial Governments,—then why they should not exclude contractors,—and then why they should not exclude officers of the General Government,—because it emasculated the mind of the country; and then he said if—they did exclude one they should exclude the others. There was no going all round in that.

Mr. GILLIES was glad to hear the explana-

tion of the honorable member, because it saved him from expressing sorrow for what he had said, inasmuch as the honorable member had repeated, almost in the very words, what he (Mr. Gillies) had quoted as his statement. The honorable member had stated that he objected to any disqualification whatever, but that, if there should be any disqualification, it should go all round, and that if there was anybody that should be excluded, contractors should be excluded. In short, as he (Mr. Gillies) had stated before, he objected to all disqualification of contractors or anybody else; but if—if there was to be any disqualification at all, it should be all round—General Government officers, Provincial Government officers, and contractors. That was the statement which the honorable member made, and consequently he (Mr. Gillies) had no sorrow to express for having misapprehended his meaning, or mis-stated what he had said. He was speaking more particularly in reference to the exclusion of Provincial Government officers. It had been stated on one side that they were liable to be unduly influenced by the Government; and, on the other side, it was stated by the honorable member for the Hutt (Mr. Ludlam) that there was not much to be feared from the Government influence upon them, but that, on the contrary, they were much more likely to influence the Government. These were the two views which had been put forward as reasons why the House should exclude Government officers from holding seats in it. This Bill was founded on a very proper principle. It was founded on the principle that officers of the Government, who were paid by votes of the Assembly, ought not to sit in the House and vote their own salaries; but that argument had no bearing whatever in regard to provincial officers. Their salaries were not voted by that House, nor were they liable to be affected by their action as members of that House. No doubt those members were affected by considerations of what might be of advantage or disadvantage to their respective Provinces; but would that objection lose its effect if they were not Provincial Government officers? He could see no reason for excluding them from seats in that House, except the fear expressed by the honorable member on his left (Mr. Moorhouse)—the fear that the hand of the destroyer would be put upon the General Government. He could understand that. There was quite a different reason for the exclusion of salaried officers whose salaries were voted by that House. The question as to which was the destroyer—the General Government or the Provincial Governments—was not worth talking about in discussing a subject like this: that was a question which must be fought out otherwise. They knew that if the Provinces were destroyed to-morrow, their destruction would be death to the General Government of the Colony. He was perfectly certain of that; but he would not discuss that question, which was not involved in the Bill. The question involved in the Bill was this: were persons to be allowed to sit in that House who were paid by votes of the House, and who, if they were allowed to take part in its

proceedings, would be, in fact, voting their own salaries?

Mr. STAFFORD would have great pleasure in supporting the Bill as it stood, with the addition of a clause excluding contractors. He had sent to the printer a new clause which he intended to propose in Committee, and which was so drawn as to obviate any inconvenience which might fairly be expected to arise in the manner referred to by the honorable member at the head of the Government. It was proposed to except persons who held printing contracts, as contracts of that kind were not likely to have any influence on the conduct of public men. There was a time when he would have preferred that the Bill should have gone a little further. In the Bill which he introduced in 1868, he proposed to exclude all the officers of Provincial Governments, except the Superintendent, from seats in that House. The reason he had for excepting the Superintendent was this, that while the main object of the Bill was to insure that each member of the House should be independent, no person could be more independent than the Superintendent of a Province. He was not dependent for his salary on that House, nor, so far as he could see, upon any Provincial Council, as their salaries were fixed generally by special Acts. Other provincial officers, however, were not in that independent position which Superintendents enjoyed. A great change had, however, since been made in the financial policy of the Colony; they had prevented the Provinces from having a definable interest in the receipts of revenue, and they were now to receive, instead, an allowance per head of the population, without reference to the revenue that might actually be collected in the Provinces. They had consequently ceased to have the same interest which they previously possessed in regard to the question of taxation. It did not appear to him that provincial officers had any separate or special interest in the question, which was not shared by any other member who represented a constituency. Therefore, he did not think it would be prudent to risk the passage of the Bill by introducing provisions which, after all, would have no practical effect. As a tolerably active member, and as one who had taken considerable interest in the proceedings in relation to the Commissioners of Crown Lands Bill of last session, he was totally unable to agree with the honorable member for Newton in the assertion that there was an understanding that the Secretary for Crown Lands should cease to hold his seat at the end of the present session. At the end of last session the Bill was carried in the teeth of the opposition offered by the honorable member, who voted against it on every occasion in Committee. There were six divisions, in every one of which, except the last, he found the honorable member voted with the minority, who tried to throw out the Bill. He could see no trace of such an understanding as had been referred to by the honorable member, but he did see traces of the honorable member having attempted to prevent the Bill passing. Having been present when the

divisions took place, he heard with considerable surprise what the honorable member had said. Neither could he agree with the honorable member for the Hutt (Mr. Fitzherbert) with regard to the practice in the United Kingdom. It was true, by an Act passed in Queen Anne's reign, certain persons were disqualified for seats in the House of Commons, as shown by the passage which had just been placed in his hands by the honorable member. That passage was totally irrelevant to the question of the disqualification of contractors. Several Statutes had been passed since that time on the same subject, and they must be read in connection with the Act which the honorable member referred to. He could imagine a man being elected constantly under the principle laid down by the honorable member, and he had no doubt there were constituencies in every country in which a man who chose to use corrupt influences could get returned. Probably things were no better here than they were elsewhere; no doubt here there was a greater greed to obtain wealth, and, as a population, we were not so stationary as others; but we should not shut our eyes to the fact that there were men who got returned by corrupting constituencies, and two of the most notorious constituencies in England recently had the misfortune to be most thoroughly found out. He did not mean to say that there were not constituencies which it would be difficult, and even impossible, to corrupt; but they knew very well that there were men who notoriously had been returned by using corrupt influences. He could not sympathize with the honorable member in his convictions; he did not say that he had blown hot and cold on the subject, for, when he had heard him speak during this session, he had always spoken in the same direction. But he did regret to hear a gentleman of his standing, who had given such close attention to, and had taken such a share in, the working of the representative system, and constitutional practice generally, for so many years, entertain that belief; and the only alleviation he had was that upon still further consideration of the actual facts he would see fit to change his opinions.

Mr. FOX remarked that, after the turn the debate had taken, it was not necessary that he should say much in reply. He would simply point out two errors which he had noticed, one of which had been made by the honorable member for the Hutt (Mr. Ludlam), and against the imputation which he made in using the word *impure* he must protest. He defied the honorable member to show that, connected with the proceedings of the provincial officials, there had been anything which, by the most delicate person, could be justly designated by the title, *impure*. If the honorable member could bring forward any instance which would justify the use of the word, let him do so; but he should not, by mere insinuations, give rise to the belief or supposition that anything which was inconsistent with proper conduct had taken place. The honorable member for Christchurch spoke of the overwhelming influence of the provincial officers which might be brought to bear on the General Government.

He watched very closely what the honorable member said, in the expectation of hearing him propose the disqualification of Superintendents as a logical sequence, but he found that the honorable gentleman merely proposed to disqualify their subordinate officers. It seemed to have been forgotten that, when it was sought to bring provincial influence to bear upon the General Government, that it was the Superintendents who brought pressure to bear on the Ministers. He might also call the honorable member's attention to the fact that the species of influence which was supposed to be exercised by the persons alluded to did not exist in that House. There was, in fact, only one provincial officer in the House, and that honorable member had voted, on most occasions, against his own Superintendent; therefore, for the purposes of the present measure, that species of influence which was supposed to be exercised by Superintendents through their subordinate officers might be said to have no existence. In reference to what had been stated about contractors—that the leaning of the Government was in favour of the exclusion of contractors, the honorable member for Timaru was perfectly right in stating that the Statute of Queen Anne was not exactly in point in reference to contractors: he had been looking over the various Statutes, and had found that the object of that Statute was simple to exclude all officers officially dependent on the Government of the day. The House was divided, and a compromise was arrived at, whereby old officials were exempted and possessors of new offices were disqualified. In the reign of George II. an attempt was made to disqualify contractors, and stringent measures were passed which did disqualify them. That would be a precedent for them, if the circumstances of the two countries were identical. In England, as honorable members were aware, the keenest rivalry took place for seats; if even five hundred persons were disqualified, there would still be as many prepared to come forward in their places. But the circumstances of this country were different; here there was but a small number, comparatively speaking, from whom a selection could be made to take part in public business, and therefore the Government felt they would have a great difficulty to contend with in attempting to lay down a hard and fast line which might have the effect of excluding many persons. He was, however, on the whole, in favour of the exclusion of contractors, and if a well-considered clause were submitted, which would meet the approbation of the House, the Government would not oppose it.

The Bill was read a second time, and ordered to be committed on Tuesday.

BANKRUPTCY BILL.

Mr. FOX, in moving the second reading of this Bill, said he should not attempt to enter into a long history of the general object or of the provisions of the Bill. He would not do more than state that the present law rested upon two previous Acts, both of which appeared to be imperfect

in some of their provisions, and had worked unsatisfactorily to the commercial community in this country. That dissatisfaction had not arisen altogether from the intrinsic character of the Act, but was owing, to some extent, to the peculiar manner in which it had been administered by some judges of the Supreme Court. There appeared to be an inclination to lean rather towards the debtor, to the detriment of the interests of the community at large. The judges appeared to sympathize with the bankrupt as against the interests of the creditor, the bankrupt being looked upon as the victim of the creditors. No doubt, some years ago, the feeling was the other way. A man who got into debt was looked upon as guilty of a crime; and he (Mr. Fox) recollected, when he was a young man, the creditors were in the habit of shutting up their debtors for a long time, and, to use a phrase which was not altogether a figurative expression, leaving them to rot in gaol. At present, the feeling ran too far in an opposite direction, and too many facilities were given to fraudulent traders to act with impunity, in a reckless manner, in their business transactions. Under the unfortunate state of the law, such persons had escaped, and had been able to set their creditors at defiance. The present Bill would provide against such a state of affairs, and he hoped it would be the means of giving the creditors more direct control over the actions of the bankrupt than they formerly possessed. Considerable change had been made in reference to the declaration of bankruptcy. Hitherto, it was open to persons interested to enter into all kinds of fraudulent arrangements with the bankrupt, in the interval between the declaration of insolvency and adjudication of bankruptcy, and sometimes very gross frauds were committed. For that evil a remedy had been provided: the filing of a declaration of insolvency by the bankrupt would now be regarded as an act of bankruptcy. Another very important alteration in connection with the bankruptcy law had been made by adopting a provision in the English Act, whereby a bankrupt was required to pay 10s. in the pound: if he did not do so he was protected, but nothing more. His estate was wound up, but he was not granted his certificate. There were, also, some other provisions in regard to liquidation by arrangement. Certain rules of Court, for the facilitation of acts of arrangement, had been recently published; they were nearly a transcript of the English regulations, and would be found to be a very considerable improvement on the existing state of the law. He had only to say, further, that the Act was not a complete Act. The law would rest on this and the two previous Acts. No doubt, to a certain extent, there would be an inconvenience in endeavouring to make two or three Acts work together—that had always been the case; but, next session, they would probably be able to consolidate all three Acts. The English Bankruptcy Act would probably be proved to be a good practical measure; and, should this measure be found to work satisfactorily, there would not be much difficulty in framing a consolidated Act, which would be of a simple character, and which,

he trusted, would tend to place the bankruptcy law in a more satisfactory state than it was at the present time.

Mr. HAUGHTON had given notice that he would move that the Bill be referred to a Select Committee, to report in ten days, but perhaps that time was too long, and he had no objection to alter it to a shorter period. Although the Premier stated that the Bill was to stand with the other two Acts already in force, it seemed to him to contain entirely new principles, in connection with law, between debtor and creditor. He thought they could not discuss it properly in the House without first having the benefit of the opinions of a Select Committee. He would move that the Bill be referred to a Select Committee, consisting of Mr. Hall, Mr. Curtis, Mr. Bunny, Mr. Macfarlane, Mr. Gillies, Mr. Ormond, the Colonial Treasurer, Mr. Rolleston, Mr. Carrington, and the mover; three to form a quorum, and to report in a week.

The SPEAKER said it was not customary to move that a Bill be referred to a Select Committee until it had been read a second time.

Mr. WEBSTER was under the impression that the amended Bill which had been submitted to them was to be the actual Bill upon which the bankruptcy law would be founded; but, to his horror and astonishment, he found that the original Bill was one containing some seventy or eighty pages of printed matter, and involving an amount of complication such as he had never seen equalled in his life before. In reading the amended Act carefully over, as he had done, he considered it wanting in many particulars. The original Act was so full of particulars, that, if one failed for want of provisions, the other would fail through having too many provisions. It was, without exception, the most cumbrous and useless Bill, either in the original or the amendment, that he had ever seen. It was utterly useless for the purpose for which it was intended. The provisions of the Bill might possibly be applicable to an old state of things such as existed in old countries—in Scotland, where their blessed cousins would look carefully after a five pound note for six months continuously; but in New Zealand it was utterly hopeless that they would suit the purposes for which they were intended. The habits and customs in the colonies were such that, when a man became insolvent or bankrupt, and was indebted to any of his creditors to the extent of £20 or £30, they came very seriously to consider whether it was worth while troubling themselves about the matter at all. When they discovered they had either to consult a lawyer or read over a Bill of the magnitude of the present one, the decision they would arrive at would be to let the man go, and never say another word about it. He regretted that he had not had time to go through the original Bill, but the amended one was so utterly and entirely wanting in all the materials which ought to exist in a Bill of the kind in the colonies, that he was confident that any honorable member who would take the trouble to look into the matter, would agree with him that it was useless to carry out the objects for which a Bill of its

nature was intended—which were, in the first instance, to relieve a debtor, who had fairly and honestly been trading, in the simplest and easiest manner, from the burdens which, through misfortune, he had to submit to; and in the next place—which was of still greater importance in the Colony—to vigorously wind up his estate, to leave to the creditors the realization of that estate, and to punish the insolvent if he had acted dishonestly. The machinery of the proposed Bill would not enable the estate to be realized profitably and economically, nor would it enable them in any shape or form to punish the insolvent if he had been fraudulent. The complications connected with the realization of bad estates, which were the ones generally to be dealt with in New Zealand, were enormous; and, after an experience of ten years, he pronounced the present Bill an utter failure before it had begun to operate. It required such difficult machinery; it required a provisional trustee, and it required him to call meetings, and it required Courts to call meetings, and it gave no power of vigorous action either to the one body or to the other. He should have been very glad indeed, had he known that such a Bill was in course of preparation, to have rendered any little assistance which he believed he could have done, to the gentleman who prepared it. He thought that either an English or a Scotch Bill was utterly unfitted for a new country; and he would refer the Government to the New South Wales and Victorian Bankruptcy Acts, which were very simple, did not contain one-half as much as the proposed amended Act, and could be read and understood in half an hour. By reading them, an insolvent could fully understand the penalties he would subject himself to, supposing he committed any little impropriety. It was necessary that it should be understood by the creditor what remedy he had, and it should be understood by the insolvent that there were certain penalties. There was no clause in the Bill—he was not sure whether it was in the original Act—by which the insolvent or bankrupt was required compulsorily to assist, actively and honestly, his trustee or trustees, in the winding up of his estate. The proceedings in cases of fraudulent insolvency, he had reason to know, were of the most impossible kind. He had the misfortune, the other day, to be favoured by a gentleman who was now proceeding through the Insolvent Court; he went to an attorney and asked him by what means he could bring the man to the Police Court, as he had committed a manifest fraud. In Victoria he would have had very little difficulty in simply taking him to the Police Court and having him committed; but he was informed that it was utterly useless for him to attempt to do anything in this country. He was told that he might, if he chose, wait until the Supreme Court sat, when he would have an opportunity of examining the man, and paying more fees; but, at the same time, he was warned that it would lead to nothing. He admitted that he was not entitled to speak of the original Bill, as he had not had time to look at it; but it did not seem to him that in the amended

Bill there was any practical application of the great object of an Insolvency Bill, which was, the quick realization of the estate of an insolvent, and relief from the pressure of his debts, which he was perfectly entitled to claim from the country; a beneficent law, which was enacted for the purpose of enabling any man who honestly got into debt, to claim relief from his country. He believed, from his long experience in insolvency matters, that there were no persons so generous towards an honest insolvent as his creditors. He had seen, in hundreds of instances, a generous appreciation, on the part of the creditors, of a man's struggles, and had seen them subscribe together to give him another start. But when they met with such cases as that, it did not in the slightest degree lessen their desire to apply the whip to a person who fraudulently took advantage of the laws of the country. He did not see, in the amended Act, any provision by which a man could be proceeded against as a fraudulent insolvent in the same way as a man would be proceeded against who picked a pocket. The man who robbed his fellow-man by deceiving him by his statements, was as great a robber as the man who knocked another down and picked his pockets, and the same means of redress ought to be given to the victims of both. He hoped the Bill would not be proceeded with at all. As the amended Bill would prove such a small relief, and was such a slight improvement on the previous Act, he would ask the Government to put it off for another session. He would ask the Government, with all due deference, to refer their legal advisers to the study of the Victorian and New South Wales Acts, which they would find infinitely more suitable to the circumstances of the Colony than an English or Scotch Act. He was sure, if they would take the trouble to look over the Australian Acts, and compare them with their original and amended Bill, they would thank him for the suggestion he had made. He should feel it his duty to oppose the Bill in every stage, as he did not believe it would either benefit the insolvent, the creditor, or the country.

Mr. BUNNY said, after what had fallen from the honorable member who had last spoken, than whom, he thought, there was no one more able to give them advice as regarded the working of the bankruptcy law, from the experience he had had in a neighbouring Colony, he would move that the Bill be read that day six months. The Government informed them that it was their intention, next session, to bring down a Bill to consolidate the law of bankruptcy, and that it was to be framed upon the English Act. He thought they would be wiser if they adopted the suggestion of the honorable member for Wallace, with regard to the Victorian and New South Wales Acts. The Premier's chief complaint against the existing Act was that it left too much discretionary power to the judges. Well, he was not at all sure that that was the fault of the Act; the judges were there for two purposes, not only to see that the creditors had justice, but also to protect the debtor from the anger of the creditor.

The proposed Bill, he thought, was the result of recommendations from chambers of commerce. He noticed that there were, in the pigeon-holes of honorable members, certain resolutions sent up from the chamber of commerce at Dunedin, strongly urging honorable members to support the Bill. Now, he did not think they were exactly the parties most competent to frame a measure like the present. The Bill was only distributed on the previous day, and he believed it had occupied the attention of the other branch of the Legislature some nine weeks, and he did not think they could, during the present session, give it that consideration which they ought to do. He thought it would be unwise to proceed with the Bill this session. Even if the present Act did not work, they could afford to put up with it until next session, when the Government could come down with a Bill consolidating the existing Acts. They had three Bankruptcy Acts, containing about 300 clauses, and the proposed Act had 100 clauses additional. Thus they would have 400 clauses regulating a law which judges, lawyers, and creditors could make neither head nor tail of. Still it was worked, he believed, at the present time, better than heretofore, and they could allow it to work for some little time longer. He thought the Government should withdraw the Bill, and take time to prepare a proper measure, and he would therefore move that the Bill be read that day six months.

Mr. BORLASE was not in favour of the old Act, but to add another to it would be making "confusion worse confounded." It was better to bear the ills they had, than fly to those they knew not of. In the original Act of 1867 there were 354 clauses. It was a most difficult Act to work or comprehend, but the Courts were doing their best to work it. The amending Act contained twenty-one clauses, which were more puzzling than the first Act. The proposed Bill contained ninety-eight clauses, and was to amend the amending Act. If their legislation was to be of any use, when the Government brought down a Bill with ninety-eight clauses, they ought to have abolished the old Acts. It was material that merchants and traders, and those engaged in commercial transactions generally, should have some knowledge of the law of bankruptcy. The law should be as precise as possible. If some of the clauses in the present Bankruptcy Acts were read, it would be found that they presented, not only to the public, but to the legal mind, a perfect and incomprehensible jumble. The Act before them did not, to his mind, much improve matters. It was not a matter that a man of ordinary common sense could understand. The law, as at present, was scarcely understood by either the judges or the lawyers. It was still worked to some extent, and he thought it would be better to do with it for a few months longer, to enable the Government to bring in a comprehensive scheme. That was, to his mind, the common-sense view of the question, and he would, as a lawyer, recommend it to the consideration of the House. The facts stated by the honorable member for Wallace were worthy of consideration. The principle to

be adopted, in his view of the case, was that no man should be imprisoned for debt, pure and simple, but should be punished, when proved to be a fraudulent bankrupt, as one guilty of having obtained money under false pretences. The moment a man became bankrupt the creditors should be enabled to realize his property. That was the material point. He trusted that the Government would take the bankruptcy jurisdiction out of the Supreme Court, and transfer it either to the Resident Magistrate's or District Court. The Supreme Court jurisdiction should be only a matter of appeal. A speedy application of the law, with a view to the realization of a bankrupt's assets, was absolutely essential in this Colony, and he hoped that the Government would see its way to introducing the Victorian law upon the subject, if the English law were not found to answer. Under all the circumstances, he thought the Bill should be postponed for six months.

Mr. MACFFARLANE had listened attentively to what had been said against the existing bankruptcy law, and the gentleman who most objected to it had, by his own admission, only recently come to the Colony, and had never, as he stated, read the original or amended Bill.

Mr. WEBSTER.—I have read the amended Bill.

Mr. MACFFARLANE said that if he (Mr. Webster) had read the Bill he should have known that, by clause 82 of the present Bill, a bankrupt was to aid, to the utmost of his power, in the realization of his property. The honorable member had not shown that he knew anything about our bankruptcy law or the Bill before the House, and, therefore, any recommendation that came from him would not be regarded as of any particular value or importance. He (Mr. Macfarlane) had taken a little trouble in the preparation of the original Bill. He was one of those who had been appointed to consider the matter. He had had a desire to introduce the Scotch system of bankruptcy law, as he believed it was perfectly applicable to this Colony; but he had alongside of him three or four New Zealand lawyers, who urged the propriety of not introducing the Scotch system here. They considered it was more advantageous to adopt the English system, for the reason that the decisions in the English Courts would be binding in New Zealand, and by that means they would have the benefit of English decisions in this Colony. He would have preferred a much simpler Act, and the existing Act, which was the same as the English Act, was taken as the basis of the bankruptcy law of this country. That was the history of the Act. He might say, further, that if the honorable member for Wallace had read the Bill, he would have seen that it contained provisions for the protection of the honest trader as well as for the punishment of the fraudulent one. The machinery for doing so might not be as effective as was required, but the honorable member was not the person to say so, inasmuch as he had not read the Bill. He admitted that the Bill was rather cumbrous. He also admitted that the amending Bill now proposed was an attempt to incorporate

the present English law with the law of the Colony, and that a jumble was the consequence. He thought, however, that the exigencies of the case might be met. Certain admitted defects were remedied by the new Bill, which, if given effect to, would enable the Acts to be worked in a satisfactory manner, especially if the trouble were taken to study it and work it out properly. It was not the bankruptcy law that he complained of, but he complained that persons who were most deeply interested in the working out of the Act, did not look sufficiently after their own interest. The majority of people in this Colony believed that the moment a man became bankrupt the debt was lost for ever. They thought it would be throwing away good money to look after the debt. The consequence was that encouragement was given to the dishonest bankrupt. Of this state of things there were always men found ready to take advantage, and run the risk of being found out fraudulent. The merchants in this Colony were too ready to give credit. Owing to the competition which existed, indiscriminate credit was given, and sufficient care was not taken, when the goods were ordered, to inquire into the circumstances of those who gave the order. That was the present state of the matter in this country, but the evil effects resulting from this would be rectified to a considerable extent if creditors would exercise the power given under the Bill. In truth, Sir, the Acts now in existence gave encouragement to a bankrupt to stop business when he found he could not pay 20s. in the pound. On the other hand, should he neglect doing so, there was a penalty attached from the effects of which he could never extricate himself. He thought it would be well to refer the Bill to a Committee, who could go over it and emasculate such portions as were considered unnecessary or unworkable. At all events, he thought it would be wrong to adopt an Act which had only been passed last session in England, without waiting until it was seen how it worked. They had had before them this session no less than ninety Bills, and there were several others to come. There appeared to him to be a mania for passing Acts in New Zealand, which had an injurious effect rather than otherwise. As, however, this Bill had gone so far, he thought it would be well to send it to a Committee to bring up a report, upon which a Bill might be based suited to the peculiar wants of this Colony.

Mr. HAUGHTON said that, although his mind had been quite made up on the subject before, his opinions were very much strengthened by the very able and lucid remarks made by the honorable member for Wallace, knowing the official position which that gentleman had occupied in Melbourne for many years. From the intimate knowledge which the honorable member had upon the subject, gained in that Colony, his opinion was entitled to considerable weight. The honorable member for the Northern Division had said that the honorable member for Wallace had not studied the insolvency laws of this country. He (Mr. Haughton) was glad that the honorable

member had not been obliged to do so. They had a new and cumbersome Bill placed before them for their consideration. It had been put into their possession on the previous day, and they were expected to swallow it whole on the second reading; and, very probably, the Premier might propose to go into Committee upon it at twelve or one o'clock at night—a custom commonly adopted by Governments. As affecting bankruptcy, they had not only this cumbersome Bill, but they had two other Acts which were acknowledged to be difficult to work. A very remarkable point slipped accidentally from the Premier in moving the second reading of the Bill. He stated that the Acts now in force depended on the rules of the Supreme Court for carrying them out, and that it was only within the last few days that the judges had found time to make rules for carrying the law into proper effect; while, at the same time, he now introduced a Bill containing eighty-five clauses, and any number of schedules, and asked the House to add it to the large mass of laws they had already on the subject. They were too fond of adopting the English and Victorian Acts before they ascertained how those Acts worked. He thought it would be better to take the advice of the honorable member for Wallace, and look into the Act of a neighbouring Colony—the New South Wales Act, which was said to work well. He (Mr. Haughton) thought the present law, with the rules drawn up by the judges, would meet the necessities of the case for the next few years. Judging from the newspapers, there were very few persons left to go through the Insolvency Courts, and those few might well be left to the merciful operation of the existing law.

Mr. H. S. HARRISON said it had been urged as an objection that so large and important a measure should be brought down at this period of the session; but he would remind the House that the last Bill had been brought down, under similar circumstances, at the end of a weary session. It was refreshing to him to learn this evening that the Act now in force was to protect the creditors, as he had arrived at a different conclusion. He considered that such a bankruptcy law tended to lower the moral tone of the Colony, and it would be better, in his opinion, if they repealed the last Act, and left nothing in its place, as the present Act had only proved an incentive to chicanery and deception.

Mr. CRACROFT WILSON, C.B., said the debate had assumed a very extraordinary character. It had been generally the opinion of this House, for some sessions, that the Attorney-General was in the habit of copying too much from the laws of Victoria, which he knew by heart, and the exception taken to Bills introduced into this House was that they were a servile copy of the Statutes of Victoria. In the present debate the very opposite had been assumed—that if the Attorney-General would only take the trouble to look at the Victoria Bankruptcy Act, he would model a measure that would be sure to work well, and that would be everything that was angelic. From his personal knowledge, he could say that

the acquaintance of the Attorney-General with the laws of Victoria was something that would astonish honorable members if they only knew the extent to which it went. He ventured to say that the Attorney-General knew the Victoria Bankruptcy Act by heart, almost. He (Mr. Wilson) well remembered that, in the session of 1861, there was a proposal to introduce a Bankruptcy Act into this House. A very eminent merchant in Auckland was asked his opinion of what was best to be done, and he said, "For Heaven's sake let us alone; the moment you introduce a Bankruptcy Act into the General Assembly, so sure will you have dishonest bankrupts and hundreds of fraudulent creditors." He was sorry to say that the last session had completely convinced him of the foresight possessed by the gentleman to whom he alluded. Nothing could be much worse than the result of the operation of the bankruptcy laws as they had been carried into operation ever since 1862, when the first bankruptcy law was passed. He could not tax his memory to speak very accurately, but he thought the first bankruptcy law was passed in that year. Nothing could be much worse than the result of the operation of those bankruptcy laws. The present Bill might be cumbersome, and it might be very inconvenient, for the next ten or twelve months, to work a Bankruptcy Act containing the provisions of three separate Acts; but, looking at the fourteenth part, he was willing to put up with any amount of incumbrance or difficulty in searching for the provisions of the bankruptcy laws, on account of that part alone. He believed it would do more to do away with—he was going to say rascality, but it was not a parliamentary expression, and he would not use it—to do away with the abominable practice of a man going to an attorney, and making a contract with him, for £7, to "whitewash" him. Nothing could be more pernicious than that system, which was now in vogue in New Zealand. He would say that that fourteenth part of the Bill would put a stop to any man getting "whitewashed" for £7, unless he also paid 10s. in the pound to his creditors. If the records of the whole of the Bankruptcy Courts in the Colony were examined, he did not believe they would find that there was a single bankrupt who had paid 10s. in the pound. He looked upon it as an important point in the Bill, that the debtor should be compelled to pay one-half of the amount of his debt before he could obtain his discharge, and he would certainly vote for the second reading of the Bill. If the second reading were carried, he would vote against the Bill being referred to a Select Committee. In his opinion, emasculation was similar to annihilation. He felt certain that the motion for sending the Bill to a Select Committee was nothing more nor less than simple strangulation.

Mr. FOX, in reply, said the objections raised to the Bill were based on the assumption that the Bill would make the bankruptcy law more intricate than before. He felt sure that the honorable member for Wallace had not read the bankruptcy laws, including the present

Bill. If honorable members would only look at the Bill, they would see that it would improve the existing law. They could not hope, this session, to consider the whole law, and bring it into that consolidated condition in which the honorable member for Wallace said the law was in Victoria; but there was nothing unreasonable in their proposing to add to the existing law some provisions in order to make it more efficient, and make it work more smoothly. That was all they proposed to do. There were, no doubt, many portions of the existing law which worked harshly to the creditor, and perhaps other portions which worked harshly to the debtor. The judges of the Supreme Court, who administered the bankruptcy law, were men with sympathies like other men, and were liable to err where the letter of the law was not sufficiently explicit. The honorable member for Wairarapa had correctly stated that the Bill was the result of the applications made to the Government by various chambers of commerce in the Colony—the chambers of commerce of Otago, Auckland, and Canterbury. With the exception of one provision in the Bill, those respective chambers of commerce were unanimously in favour of the amendments of the Act in the direction proposed by this Bill. Since the Bill had been before the House, copies of it had been forwarded to the various chambers of commerce, and they had heard from two out of the three that they were satisfied with the Bill. He trusted that, under those circumstances, the House would pass the Bill, and that they would not prevent the Colony from deriving the benefit of the amended law. The object of the Bill was, not to alter the law as a whole, but merely to amend certain parts of the existing law, which the honorable member himself asserted was a frightful law. The honorable member said that the Bill was deficient in respect to its not compelling a debtor to assist in winding up his own estate; but the honorable member was wrong in that respect, inasmuch as, in three or four of the last clauses of the Bill, provision was made for that to be done. But, with regard to the simplicity of the Australian Acts, about which the honorable member said so much, he really thought the honorable member could not have read them for some time, for, on looking into the Australian Acts, he found that they embraced much the same provisions as were embodied in the New Zealand Acts. He found that there were 130 clauses in that simple Victorian Act, and the next year they had to pass an amended Act, so that the Australian law was not quite so simple as the honorable gentleman seemed to think it was. He was not prepared to say that full justice had been done to the subject, or that the Bill was as complete as it might be, for the Government really had not time to give the subject full consideration this session. They must not rush away with the idea that, because an Act was passed in an older colony than our own, therefore it must be a perfect Act; or that, because it worked well in Australia, it must necessarily work well in New Zealand also. The Australian colonies differed from New Zealand materially.

There they had some central point from which to work—some metropolitan centre or seaport town from which everything ramified throughout the colony; but in this Colony they were situated in a very different manner. Settlement had been made on the sea coast at a number of different points, where separate communities were established and separate influences were at work, which rendered the machinery of the Victorian Act totally inapplicable to this country. As an illustration of this, he might cite the Registration Act, which had its origin in South Australia, where they had only one headquarters of registration, because they required no more; but it would be impossible to work such an Act in New Zealand without five or six different centres. They might have one registrar-general, but they would require five different local establishments, at the very least, to work the Act. They had nine centres of population, all requiring specific machinery for their own particular localities. That was not the case in Australia. The Australian Act, however applicable it might be to the circumstances of the people in Australia, was not applicable to the circumstances of this Colony. This Bill had been desired by the trading community throughout the Colony, and by the chambers of commerce, which might be regarded as the representatives of the trading community of the Colony. It was merely a temporary measure, to amend some of the great and glaring defects of the existing law, and he thought the House would be decidedly wrong if it did not give the country the benefit of this Act.

Amendment negatived, and the Bill read a second time.

On the motion that the Bill be committed on Tuesday,

Mr. HAUGHTON moved that the Bill be referred to a Select Committee, consisting of Mr. Hall, Mr. Curtis, Mr. Bunny, Mr. Macfarlane, Mr. Gillies, Mr. Ormond, the Colonial Treasurer, Mr. Rolleston, Mr. Carrington, and the mover; three to form a quorum; to report in a week.

Mr. CRACROFT WILSON, C.B., trusted that the House would not agree to the amendment. The motion that the Bill be read a second time that day six months had just been defeated, and now an effort was made to attain the same object by referring the Bill to a Select Committee. If the Committee reported in a week, there would be a difficulty in passing such a Bill this session; but if the Committee asked for another week, it would be simply impossible to deal with the Bill this session. He trusted, therefore, that the House would not consent to the amendment.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	26
Noes	...	...	...	18
Majority for	...	...	...	8

AYES.

Mr. Baigent,
Mr. Barff,
Mr. Birch,
Mr. Carrington,
Mr. Clark,
Mr. Collins,
Mr. Fox,
Mr. H. S. Harrison,
Mr. Jollie,
Mr. Kynnersley,
Mr. Macfarlane,
Mr. Main,
Mr. McGillivray,
Mr. McLean,

Mr. Mervyn,
Mr. Munro,
Mr. Ormond,
Mr. Parker,
Mr. Patterson,
Mr. Peacock,
Mr. Rolleston,
Mr. Stevens,
Mr. Vogel,
Mr. Wells.

Tellers.

Mr. Ludlam,
Mr. J. C. Wilson, C.B.

NOES.

Mr. Borlase,
Mr. Bradshaw,
Mr. Brown,
Mr. Creighton,
Mr. Driver,
Mr. Eyes,
Mr. Fitzherbert,
Mr. Gillies,
Mr. Kelly,
Captain Kenny,

Mr. Macandrew,
Mr. Moorhouse,
Mr. Richmond,
Mr. Taylor,
Mr. Webster,
Mr. W. Wood.

Tellers.

Mr. Bunny,
Mr. Haughton.

The motion was consequently affirmed.

Mr. HAUGHTON rose to a question of privilege. He wished to explain why, after the amendment that the Bill be read that day six months, a division was not called for. The honorable gentleman who usually represented the Government, and who was recognized as the "whip," came to him and said that if the opponents of the Bill would not call for a division upon the amendment, the Government would consent that the Bill should not be gone on with this session.

Mr. MAIN said, as there was no doubt that he was the honorable member alluded to, he claimed to be heard in refutation of the charge made against him. The facts of the case were, that the Government wished to carry the second reading of the Bill, but it was thought more than probable that the Bill would be dropped, as there was no time to carry it through in the present session. That was what he had told the honorable member, and he had the authority of a Minister for stating it, who, he hoped, would ratify the words he had used. That was altogether different to the words which had been put into his mouth by the honorable member for Hampden.

Mr. FOX said the honorable member for Port Chalmers had correctly stated the facts of the case. He had thought it very likely that the Bill would have to be dropped if the motion for the appointment of a Select Committee were carried, in which case there was no chance of getting the Bill through during the present session; but, failing that, he was bound to stand by the Bill, as a Government measure, as long as he saw a chance of carrying it through. He did not think the honorable member for Port Chalmers had extended what he said even by a syllable.

Mr. BUNNY could only say that the honorable

member for Port Chalmers had informed him that, if the opposition were withdrawn, the Government intended that the measure should drop. The honorable member for Clutha also made a similar statement.

The Bill was then ordered to be committed on Tuesday next.

DEFENCE PURPOSES LOAN BILL.

On the motion that this order of the day be postponed until next sitting day,

Mr. CRACROFT WILSON, C.B.—Before the question is put, Sir, I am desirous of saying a few words respecting the remarks made by the Colonial Treasurer in his reply on the question of the second reading of the Colonial Defence Loan Bill. With the permission of the House I will read those remarks from *Hansard* :—

“He contended that they could not do it, and had never done it, and that was what he wanted to say to the honorable member for Coleridge. The honorable member appeared to him to be like a little child who objected to taking powders when ill, and preferred taking them in jam. The consequence was that the jam made the taste of the powder remain a considerable time longer than it otherwise would. The honorable member objected to swallowing the defence expenditure because it was not surrounded by jam. The honorable member might come to the conclusion if he liked, without much trouble, if he looked back to the past, that whether they passed the Bill or not, they would have to defray the defence expenditure out of borrowed money. The idea was not altogether a new one, and the Government did not wish at all to claim the merit of any novelty. On looking through the journals of last year, he saw a suggestion that the Colony should pay £40 per head for some troops, and £25 a head for other troops, and that the aggregate sum should be defrayed by debentures bearing interest at the rate of 4 per centum per annum, and 1 per centum per annum sinking fund. That was a proposal to pay defence expenditure by borrowed money, he presumed. Let them see who proposed it. Why, it was the honorable member for Coleridge himself, Mr. Cracroft Wilson, C.B., who made that proposal. Was it not extraordinary, that the honorable member who had such a great objection to borrowing money under any circumstances, and especially for defence purposes, should have proposed such a course? Was it that his prudery about borrowing simply arose from the fact of the money not being borrowed for a certain purpose? The honorable member would probably like to see it borrowed to be wasted in bringing a lot of curry-loving cannibals into the Colony, instead of for the maintenance of a well-appointed force, to be used in cases of necessity. Why did not the honorable member say he objected to the way in which the money was to be spent? He was very sorry he had convicted the honorable member of inconsistency, but he had done so because he thought it would be much better if the honorable member had raised the question as to the nature of the defence expenditure, and argued out that question,

which was of more importance to the House, instead of raising the false issue of borrowing or not borrowing. The honorable gentleman stated that for eleven years he had, in the Middle Island, opposed separation; he (Mr. Vogel) thought, from a Middle Island point of view, he had been wrong; and now he thought the honorable member was going to be wrong for another eleven years in the other direction.”

I am sorry that, on such a subject as the defence of the Colony against a barbarous race, the Colonial Treasurer should deem me a little child. Under the circumstances—I will not use the phrase, state of infatuation—in which the House has been placed by the immediate prospect of untold gold to be flung broadcast over the Colony, this is tolerable. But I cannot tolerate the charge of inconsistency, nor can I quietly submit that a comparison, made between two things altogether dissimilar, should go forth to the public of New Zealand without expressing my dissent to the same. I certainly did propose that a battalion of Her Majesty's 60th Rifles and two regiments of Ghooraks should be retained in the Colony for three years, at an expense not exceeding £150,000 per annum, and that, the real pacification of the North Island having been effected, and a road having been made from Patea to the Waikato, the above brigade should, after three years, be dispensed with, and the cost of their services should be defrayed by debentures bearing 4 per cent. interest and 1 per cent. sinking fund. At that time disturbances were rife in the North Island. It was doubtful as to the course which Tawhiao, the so-called Maori King, would take with regard to Te Kooti, and in truth it was a time of war. Now, what is the proposal contained in this Bill? It is to borrow, in a time of alleged peace, a million of money for the purpose of keeping up a standing colonial army for five years. It is against such a proposal that I have raised my voice. I say that it is a ruinous plan for any country to adopt in time of peace. I should like to ask, if such a vast loan is necessary in time of peace, whence are the funds to come from when disturbances—and I for one believe that such will be the case—again arise? In what is my inconsistency? I will tell the Colonial Treasurer that, since my proposal, which had for its object the final settlement of the Maori difficulty, he and his colleagues have spent £300,000; that they have not arrested Te Kooti; that they dare not attempt to seize Titokowaru, who is living at Ngatimaru, about thirty miles from the Taranaki frontier; and that it is a fiction to say that they govern the Native race in the Northern Island. Had the Colonial Treasurer and his colleagues been in earnest, and really carried out the proposals to which he has alluded, they would have earned the gratitude of the Colony; and I have not the slightest doubt but that the people of the South Island would, at the expiration of the three years, express their gratitude by taking upon themselves the burden of repaying the £500,000, the cost of my operations for three years. One word more: I am not going to follow the Colonial Treasurer's example, and use offensive expressions,

but I beg to inform him that not one of the one hundred and fifty million inhabitants of India, to the best of my knowledge, practices cannibalism; that there is no pure Hindee word to express cannibalism, and that the Persian compound word "adum-khoor,"—man-eater—is such an affront that it involves in that country, amongst natives habituated to the practice of arms, blood reparation.

Mr. VOGEL would not attempt to raise any question upon what the honorable member had said. It was only in the haste of debate that he had made any reference to the question. He felt, afterwards, and he then felt, that he should have abstained from doing so. He took the opportunity of saying, that if the reference he had made was the cause of any annoyance to the honorable member for Coleridge, he was sorry for it. Certainly, the knowledge of the honorable member with respect to the people of India was much superior to his own; as far as he was concerned, he knew nothing of their proclivities or otherwise in the way of cannibalism. It was a hasty expression, but unintentionally made, if he had attributed to the people of India habits to which they were not prone.

Mr. CRACROFT WILSON, C.B., was perfectly satisfied with those remarks.

The Bill was then postponed until Tuesday.

SUPERINTENDENTS OF MARLBOROUGH ELECTION BILL.

The House having gone into Committee on this Bill,

Sir D. MONRO said he claimed the indulgence of the House to make some remarks upon this Bill, more as regarded its spirit than in reference to its details. He took that opportunity of doing so, inasmuch as his position in the House had precluded him from doing so when it was before the House previously. He had taken considerable interest in the Province of Marlborough, having been largely connected with it for a number of years. The Bill before the Committee appeared to him to be a mistake. He considered it was a mistake on two grounds, that it did not express the wishes of the people of the Province, and because it claimed that the mode of electing Superintendents was preferable under the terms of the Constitution Act to that prescribed by the New Provinces Act. As regarded the first ground, he did not think that the honorable member had adduced sufficient proof of his statement to the effect that it expressed the wishes of the people of the Province. It was true that he had presented a petition with 436 signatures, which was certainly a large and respectable number. On the other hand, however, he had been informed that if those who were perfectly satisfied with the existing state of things had taken the trouble, they could have got up a petition signed by a still greater number. It was merely a matter of taking the trouble to do so; but he hoped that the Committee would take cognizance of the fact that the legitimate representatives of the Province of Marlborough, the Provincial Council, had given no sign whatever

that any change should be made in its institutions with regard to its mode of electing Superintendents. The Provincial Council, he believed, was opposed to the change which the honorable member advocated.

Mr. EYES.—No.

Sir D. MONRO took it that the Provincial Council was to be considered as the most complete representation of the people of the Province of Marlborough; and he said that from the people, as represented by the Provincial Council, there had come no voice expressive of a desire for any change whatever. The honorable member for Wairau had urged that the present system had proved a failure in Marlborough. Well, he would have been surprised if anything of the kind had succeeded in bringing about harmonious action in a Province which, unfortunately, from the first had suffered so much from internal political distraction, to the no small amusement of the people of the rest of the Colony. He believed from the two factions which existed, and who acted upon the cat and dog principle, that almost any system introduced would inevitably result in a large amount of confusion and failure. But it did not follow that, because the system of appointing the Superintendent under the New Provinces Act had failed in the Province of Marlborough, it had failed in other parts of New Zealand. The honorable member who sat then upon the Government benches, and who had been Superintendent of the Province of Hawke's Bay, could tell them that the system provided by the New Provinces Act had worked satisfactorily and harmoniously in that Province. Unless he was mistaken, the same result had been achieved in every other Province where it had been introduced. He found, also, that in Canterbury, where the mode of election was as prescribed by the Constitution Act, a resolution had been adopted in favour of the mode laid down by the New Provinces Act. He therefore asserted that the mode of electing Superintendents under the New Provinces Act had not failed generally. So much for the change which the honorable member contended for as being the wish of the people of the Province. He thought there was no evidence that such a feeling existed. With regard to the advantage of one mode over the other, he was entirely in favour of the mode prescribed under the New Provinces Act. The mode of getting at the Superintendents under the provisions of the Constitution Act appeared to him to be extremely faulty. The fact was, the English people had not been accustomed, for a number of years, to anything like the election of political officers such as Superintendents. The clause which made Superintendents elective was not originally in the Constitution Act. The Superintendent was originally intended to be a nominative officer; but, upon the suggestion of some persons, he was made an elective officer. If the mode of proceeding had been properly understood by the English Parliament, which it was not, the Superintendent ought to have represented the majority of those persons whose political affairs he was to manage; but, under the provisions of the

Constitution Act, he might frequently represent, and did frequently represent, nothing more than a small minority. No one would contend that that was a state of things which ought to prevail. The mode provided in the Constitution Act for electing the chief magistrate of a Province was imperfect, and it ought to be done in another and much better way. By the new Provinces Act the Superintendent was elected by an absolute majority of the Council. If the chief magistrate was not to be a nominated officer, but to be elected to the office, it was certainly a most important provision that he should represent the majority of the persons whose affairs he was to manage. He should be sorry, indeed, to see the mode that prevailed in Marlborough set aside, and superseded by what appeared to him to be an inferior mode as prescribed in the present Bill. He was opposed to the Bill, believing it to be uncalled for and quite unnecessary. There was no evidence whatever that it was desired by the majority of the people of the Province. With the view of testing the opinion of the Committee on the subject, he would move that the Chairman do leave the chair.

Question put, "That the Chairman do now leave the chair," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	28
Majority against	...	...	...	...	16

AYES.

Mr. Bradshaw,	Mr. Stevens,
Mr. Driver,	Mr. Webster,
Colonel Haultain,	Mr. J. C. Wilson, C.B.
Mr. Ludlam,	
Mr. Mervyn,	<i>Tellers.</i>
Sir D. Monro,	Mr. Hall,
Mr. Stafford,	Mr. Richmond.

NOES.

Mr. Baigent,	Mr. Macandrew,
Mr. Barff,	Mr. Main,
Mr. Birch,	Mr. McIndoe,
Mr. Brandon,	Mr. McLean,
Mr. Brown,	Mr. Moorhouse,
Mr. Bunny,	Mr. Munro,
Mr. Carrington,	Mr. Parker,
Mr. Creighton,	Mr. Peacock,
Mr. Curtis,	Mr. Taylor,
Mr. Fox,	Mr. Vogel,
Mr. Gillies,	Mr. Williamson.
Mr. H. S. Harrison,	
Mr. W. H. Harrison,	<i>Tellers.</i>
Mr. Kelly,	Mr. Eyes,
Captain Kenny,	Mr. Macfarlane.

The motion was consequently negatived.

The Bill, having passed through Committee, was reported without amendment, read a third time, and passed.

HANSARD REPORTS.

The House went into Committee of the whole to consider the report of the Reporting Debates Committee.

Mr. CREIGHTON, with the permission of the

House, withdrew the resolution of which he had previously given notice, and proposed another in its stead. He had consulted the Government in reference to this matter, and they were prepared to accept the resolution he now proposed. The appointment of a *Hansard* reader was now left entirely within their own discretion. The question with regard to the employment of reporters was another matter.

Motion made, and question proposed, "That so much of the report of the Joint Committee on Reporting Debates as relates to the employment of reporters be agreed to, and that the Government be requested to give effect to the recommendation of the said Committee in respect to the appointment of a *Hansard* reader, in such manner as not to impair the efficient management of the Government Printing Office."—(Mr. Creighton.)

Mr. STEVENS said he wished the honorable member would speak more clearly on the subject. Was he right in understanding that the proposal he made would leave it optional with the Government to appoint a reader for *Hansard*? It appeared to him that the new proposal was rather more complex in its character than the remarks of the honorable member would lead them to believe.

Mr. CREIGHTON said the facts of the case were these. The proposition he had brought up from the Select Committee was that the *Hansard* reader should be attached to the reporting staff; but he, being one of the employes of the printing office, that proposition was regarded as setting up a kind of double authority, making, in fact, part of the printing staff a branch of the reporting staff. By the proposal now made, although the Government were requested to appoint a *Hansard* reader, there would be no interference with the management of the printing office. The matter might be taken more in the light of an instruction to the Government than anything else.

Mr. RICHMOND asked for more information upon the subject. He had worked hard during the session to make himself well acquainted with the business, but he could not say that, up to the present time, he had been able to do so, in consequence of the crush of business forced upon them. It seemed to him that the House had reason to be satisfied with the reporting staff, for he had not before had experience of such correct reporting. He did not know whether the reporters were overworked, therefore he could not say whether it was necessary to increase the staff. He thought the Committee should not interfere with the printing department, but leave the Government to strengthen it, if necessary, without upsetting its organization.

Mr. CREIGHTON said he entered fully into the matter on a previous occasion, when he read the evidence of the chief reporter, as well as the recommendations of the Reporting Committee, to prove that the *Hansard* reporters were overworked. It was not intended to make any reflections whatever on the staff. The proposal was simply to carry out the recommendations of the Committee.

Mr. STEVENS concurred in the statement that hitherto the reports of the debates had been highly satisfactory, and quite equal to what they had been in the habit of seeing for some years past, but he would like to know if all available evidence had been obtained before they were expected to affirm a resolution which would have the effect of increasing the expenditure. He had heard objections raised to the expense which the publication of *Hansard* already entailed, and it appeared to him that if the reports of the debates were satisfactory to the House, it was hardly worth while incurring further expense.

Mr. McLEAN said the Government had reason to be gratified with the favourable manner in which those who were employed in the printing department had been spoken of: that the matter had been under the consideration of the Government, who would institute all necessary inquiries during the recess. Meanwhile, very little reporting would have to be done during the remainder of the session, and the resolution, as it appeared to him, left the matter very much in the hands of the Government to deal with before next session.

Mr. MACFFARLANE said that, when the question was previously before the House, he took the liberty of stating that they were attempting to carry out the proposal without having taken the evidence of the head of the printing department. He had wished the matter relegated back to the Reporting Committee to take the evidence of the chief reporter and government printer, with the view to the House afterwards giving its judgment upon the proposal. Since then the Reporting Debates Committee, as far as he knew, had not met. A resolution was submitted to the House on the last occasion, on the authority of the Reporting Debates Committee: that resolution had been withdrawn without the sanction of the Committee, and another had been brought forward, also without their sanction. He presumed it was all right, especially as the Government had undertaken to look into the matter; but it did not appear to him that the matter had been brought forward in a regular manner. As, however, the Government had undertaken to look into the matter, and to take care that the country should not be put to the expense of another £250, unless it was necessary, he should have no objection to the course proposed.

Mr. CREIGHTON said that it was not proposed to increase the expenses connected with the *Hansard* staff, except by the engagement of one additional reporter, which step was recommended by the Committee, and which was, in fact, necessitated by the great increase of the work in the Legislative Council. The chief reporter stated in his evidence that if the Council sat after the hour of adjourning for refreshment, they could not be reported unless an extra reporter were employed. He read that evidence on a previous occasion, and moved a resolution, at the request of the Joint Committee, to the effect that authority should be given to the chief reporter to employ another reporter. Acting upon the assumption that no objection would be offered, the Reporting Debates Committee instructed the

chief reporter to employ another reporter, and he had done so. The proposition would not interfere with the management of the printing department. He now simply submitted, in accordance with instructions from the Joint Committee, a resolution approving of the step which had been taken to employ an extra reporter, and of the proposal to make the office of the *Hansard* reader a permanent instead of a sessional appointment.

Mr. HALL said the resolution proposed on a previous occasion asked the House to give effect to the recommendation of the Reporting Committee, which was, that a *Hansard* reader should be appointed, at a salary of £250, and that, when the House was not sitting, he should be an assistant reader, whereas the present permanent reader received a smaller salary. The present resolution appeared to him to lead to the very same result, although the House had refused to assent to it on the former occasion. He moved, as an amendment, that after the words "give effect to the," the following be inserted "object intended to be accomplished by the."

Amendment carried, and resolution as amended agreed to.

The resolution was reported to the House, and ordered to be considered on Monday.

The House adjourned at twelve o'clock midnight.

HOUSE OF REPRESENTATIVES.

Monday, 22nd August, 1870.

Educational Reserves—Leave of Absence—Case of A. S. Dreyer—Agricultural Land—Hawke's Bay Crown Lands Sale Bill—County of Westland Boundaries Bill—Schools of Mines and Agriculture—Appeals from Provincial Rating Bill—Flax Industry—Petitions—Mount Benger Petition—Confiscated Lands, Auckland—Otago Hundreds Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

EDUCATIONAL RESERVES.

Mr. RICHMOND, in asking the Premier whether his attention had been called to the imperfect character of the educational reserves under the Census Act, said that he did not wish to attach blame to any person concerned in the matter, but merely to induce the Premier to give instructions for the greatest possible accuracy in the coming census. He had been speaking to a gentleman from the Province of Otago some time previously, and had been given to understand that the statistics were not as accurate as they might be. From the returns for the years 1864 to 1867, it would appear that the educational condition of the Province of Otago had gone back. That might be correct, but he thought, looking to the dates, and to the great exertions made for education in that Province, it was scarcely likely to be so. There was one point that was quite certain, and referred to expressly by the registrar-general, namely, that there were a great many returns not

made out at all. The information, also, as to the number of persons who could read and write was not sufficiently sub-divided. It would be impossible to trace the ages at which teaching began, and when children began to be able to read and write. The total proportion of those who can read and write and those who cannot do so, was made of comparatively little value by the inclusion of children under school age. He thought that the Registrar-General might take that into consideration, and render the returns, without much additional trouble, much more valuable. He felt that the difficulties of getting perfect returns were almost insuperable without incurring great additional expense, and employing educated agents in the country; but even with the existing expenditure he thought that the tables might be more fully analyzed and made more complete. His object in asking the question would be gained by the Premier giving directions accordingly.

Mr. FOX said that, until the honorable member had referred to the matter, he might have replied in the negative, but he would now answer his question in the affirmative.

LEAVE OF ABSENCE.

On the motion of Mr. MAIN, leave of absence for the remainder of the session was granted to Mr. REYNOLDS.

THE CASE OF A. S. DREYER.

Mr. KYNNERSLEY, in the absence of Mr. COLLINS, moved that the House go into Committee, to take into consideration the report of the Public Petitions Committee in the case of A. S. Dreyer.

Motion agreed to, and the House went into Committee.

Mr. KYNNERSLEY moved that a respectful petition be presented to His Excellency the Governor, praying that a sum of £150 be placed on the supplementary estimates, to enable the Government to comply with the recommendation of the Public Petitions Committee in the case of A. S. Dreyer.

Mr. PARKER asked if the report had not been ordered to be printed.

Mr. CRACROFT WILSON, C.B., said that the House had ordered the report to be printed, on the motion of the honorable member for Clutha, but he believed it had not yet been printed and circulated.

Mr. FOX suggested that the honorable member should postpone his motion until the report had been placed in the hands of honorable members, that they might consider it before they came to any conclusion upon the subject.

Mr. CRACROFT WILSON, C.B., thought that there would not be any particular delay in the printing.

Mr. FOX said that the report had been ordered to be printed for some days, and he thought it would be too much to recommend His Excellency to carry out the recommendation contained in the report until honorable members knew what the recommendation really was.

Mr. BUNNY moved that progress be reported, with a view to the report being printed.

Mr. KELLY said that the Committee had been almost unanimous upon the subject, and he thought it was departing from the usual custom to delay the consideration of the question. In the case of Runciman, a few days previously, in which the Committee had recommended an award of £300, no difficulty had arisen, and the motion had been passed almost without discussion. He did not see why the present case should be treated exceptionally.

Mr. CRACROFT WILSON, C.B., said that in the case of Runciman he had given a resumé of the particulars to the House, and had stated that he was averse to the grant. In the present case he thought the report should be printed, because an honorable member had stood up and said it was impossible to know anything about the nature of the report unless it were printed, at the same time suggesting that all long reports should be laid before the House in a printed form, and not read by the Clerk of the House. He trusted that the printing of the report in question would be accelerated.

Mr. KYNNERSLEY had no objection to postpone the motion, but he hoped that, as the termination of the session was approaching, it would be placed near the top of the notice paper.

Mr. FOX could not undertake to place it on the top of the paper, as there was a good deal of important business still to be disposed of.

Progress was reported, and leave obtained to sit again on Wednesday.

AGRICULTURAL LAND.

On the motion of Mr. MERVYN, there was ordered, A return of the estimated quantity of land suitable for agricultural settlement in the various Provinces of New Zealand and the County of Westland; such return to show the amount of land over which the Colonial Government has control, and also the quantity over which the Native title has not been extinguished.

HAWKE'S BAY CROWN LANDS SALE BILL.

Mr. McLEAN moved for leave to introduce a Bill to be intitled the Hawke's Bay Crown Lands Sale Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

COUNTY OF WESTLAND BOUNDARIES BILL.

Mr. VOGEL moved for leave to introduce a Bill to be intitled a Bill to alter the Boundaries of the County of Westland.

Mr. BARFF said that he did not, on that occasion, intend to move any amendment upon the Bill, but he would oppose it in all its subsequent stages as vigorously as possible. He hoped honorable members would inform themselves of the facts of the case before the second reading came on, as he believed the Bill tended in the direction of abolishing local self-government.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Thursday.

SCHOOLS OF MINES AND AGRICULTURE.

On the motion of Mr. TANCRED, it was ordered, That the petition of the warden and fellows of Christ's College be ordered to be printed.

APPEALS FROM PROVINCIAL RATING BILL.

Mr. TANCRED, in moving the motion standing in his name, said he was acting in this matter in order to carry out the view of the Select Committee appointed to consider this Bill. The Committee had come to a resolution to the effect that it would simplify the matter very much if Provincial Legislatures had power to constitute tribunals to try cases of appeal from provincial rating, and the Committee proposed to introduce one clause, empowering the Provincial Councils to establish such tribunals. Whether it would be the desire of the House that the Bill should take that form, or whether it would prefer going on with the Bill as it now stood, the Committee, he presumed, would be able to decide.

Motion made, and question proposed, "That the Appeals from Provincial Rating Bill be considered in Committee on Wednesday.—(*Mr. Tancred.*)

Mr. HALL desired to call the serious attention of the Government to this subject. He did not know whether they were aware that upon the settlement of this question depended more than at first sight appeared—whether nearly the whole of the provincial legislation of the Colony should, after the end of the present session, be invalidated or not. That legislation had, after a considerable amount of trouble, been validated last session, on the understanding that a general Bill to provide for appeals from rating, irrespective of provincial legislation, should be prepared by the Government during the recess. That Bill had been prepared, submitted to the House, and referred to this Select Committee. He presumed, from the action taken by the Committee, that the Bill had been found to be unworkable, and the Committee proposed to get rid of the question by authorizing the Provincial Councils to establish tribunals for deciding appeals from provincial rating. He should like to know whether the Committee had taken legal advice as to whether such a Bill as they proposed could be assented to by the Governor, or whether it would not have to be reserved for Her Majesty's assent. He believed that a Bill which proposed to amend the Constitution Act by increasing provincial powers of legislation would have to be reserved for Her Majesty's assent. If that were the case, the Provincial Councils could not act upon the proposed Bill for some considerable time to come; and, in the meantime, they would have no power to re-enact the legislation which was validated last session. Until the proposed Bill, if passed, was returned

with Her Majesty's assent, the provincial law would therefore be in a state of utter and entire confusion. There would be no valid laws regarding fencing, scab, trespass, and many other important subjects—there would be no laws relating to a variety of questions that concerned the real and practical working of the industry of the country. He trusted the honorable gentleman who had brought forward the resolution would be able to give a satisfactory reply to the question; otherwise, he hoped the Government would take the matter in hand, and see that an effectual remedy was applied, or that these provincial Ordinances were laws validated again. Any honorable member who was aware of the trouble they had at the last hour of the last session to get those laws validated, and to save the confusion that would have resulted, must acknowledge that the sooner the matter was looked into the better. It was absolutely the duty of the Government to look into it without delay. He had now called the attention of the Government to the subject, in order that they might have time to consider it, and give an answer next day, or when the Bill was under consideration in Committee. He trusted the honorable member for Ashley would be able to give such an answer as would show that the Committee had not overlooked that view of the matter.

Mr. TANCRED, in reply to what the honorable gentleman had said, might state that he had consulted the Attorney-General on the subject, who had stated that the Bill would have to be reserved for Her Majesty's assent. He (*Mr. Tancred*) was merely acting in the matter from the position he occupied as the last Chairman of the Committee. He had been anxious that the Government should take the Bill up, and he hoped, when it was advanced a stage further, the Government would make it a Government Bill. As to the question of the Bill requiring to be reserved for Her Majesty's assent, that was a matter which could be considered when the Bill was before them in Committee.

Motion agreed to.

FLAX INDUSTRY.

Mr. FOX, in moving the motion standing in his name, said the object which the Government had in view was to continue the encouragement which the House had already given to the preparation and manufacture of flax. The House had had the report of the Flax Commissioners before it for some time, and he thought they must have arrived at the conclusion that, allowing for the novelty of the subject, and the difficulties which lay in the way of collecting definite information, the Commissioners had collected nearly everything, probably everything, that was known at the present moment in reference to the cultivation and manufacture of flax in this country. He did not know whether any field of observation had been left unexplored, or that they had all the information available, of a character tending to fully establish flax as a great and important article of export in New Zealand, but the report of the Commissioners

went far in that direction. He trusted that, before long, they should receive such information from other quarters, such as proposed by the resolutions he now submitted, as would really enable them to arrive at a final and definite result. At present the whole question of flax was involved in more or less obscurity. They had not yet ascertained what were the purposes for which flax was required or available; they had not ascertained how far the demand for it in the old world might be likely to extend—whether the excitement on the subject was merely temporary, or whether the demand for it might not cease altogether. At present, the accounts respecting the flax were rather more favourable, and it was being exported for experimental purposes on the Continent of Europe. They had been told, upon what was considered very good authority, that there was evidence of combinations of the old hemp and flax trade; that flax had been bought only to sell again at a ruinous sacrifice—what was commonly called “rigging” the market. If flax was really an article that would enter largely into consumption, no doubt it would, sooner or later, work its way. The object of the Government was to endeavour, if possible, to obviate the difficulties that were in its way, and to promote its cultivation and manufacture to the utmost extent and in the shortest possible time, instead of waiting for years to accomplish that desirable result. It was a work which might be brought about in a short time. He had had a good deal of consultation with the honorable member for the Northern Division, the Chairman of the late Commission on Flax, and the resolutions, as now framed, although not exactly in accordance with that gentleman's suggestions, contained points which represented the views expressed by the honorable member and others who had taken an active part in the matter. The Government was quite prepared to receive further suggestions of a useful and practical character. The main feature of the present suggestion was, that now, as they had gained a certain amount of knowledge on one branch of the subject of cultivation, they should endeavour to obtain the best information as to its practical use at home. They proposed the appointment of a Commissioner in England, some gentleman not interested in the trade, who might obtain for us the best information, and bring the flax under the notice of those who would be able to assist us, and who would make its utility better known on the Continent. He might obtain more knowledge of the nature of flax, its preparation, marketable value, and the uses to which it might be applied. Having solved those two elements of the problem, they might be able to arrive at practical results. The Government had proposed the resolutions after a good deal of consultation. He had nothing to add to the resolutions, except to say that the Government would be prepared to consider any further suggestions from honorable members, of a character which they might consider as really tending to promote the object the Government had in view. He might observe that, since the resolutions were framed and placed on the order paper, the Go-

vernment had reconsidered the propriety of continuing the existing Commission in the Colony for another year, or of substituting some other Commission for it. He said substituting some other Commission, as he thought the principle on which that Commission was appointed was not altogether a right one. It was composed of a large body of gentlemen who had no opportunity of meeting together, and the communication which passed between was in the shape of queries sent through the post office. Some of them found themselves entirely without the means of obtaining satisfactory information, while others were in a position to collect a considerable amount of information. It was a large and straggling Commission. He would suggest that a smaller Commission should be appointed, which would work more effectually and satisfactorily. Notwithstanding what had already been done, he thought it would be wise to have a Board of Commissioners established for some time, to collect and receive information, and to avail themselves of any opportunity that presented itself, of promoting the object which the Government had in view with respect to this important subject.

Motion made, and question proposed, “That this House will forthwith resolve itself into a Committee of the whole, to consider the following resolutions:—

“1. That it is desirable His Excellency the Governor should appoint a Commission in Great Britain, to inquire into and report upon,—

- (a.) The best mode and process of preparing New Zealand flax to make it a marketable commodity in Great Britain.
- (b.) The uses to which New Zealand flax is best adapted.
- (c.) To recommend what steps, if any, the New Zealand Government should take, either in Great Britain or the Colony, to promote the cultivation or preparation of the flax, and of manufactures from it.

“2. That during the next session of the Assembly there shall be an exhibition of New Zealand flax, confined to New Zealand exhibitors, and that prizes to the amount of £500 should be given.

“3. That during the session of the Assembly in 1872, there shall be an exhibition of every variety of New Zealand flax, in its natural, cultivated, prepared, or manufactured state; and that prizes to the amount of £2,000 shall be given. That, except as to cultivation, the prizes should be open to exhibitors beyond the Colony.

“4. That a Select Committee be appointed to draw up rules and conditions for the two exhibitions, or to recommend the principles on which they should be drawn up. The Committee to have power to call for persons, records, and papers, and to report in a week.”—(*Mr. Fox.*)

Motion agreed to, and the House went into Committee to consider the resolutions.

IN COMMITTEE.

Mr. MACFFARLANE said that perhaps he might be allowed to make a few observations on the resolutions that had been submitted to the House. It would be remembered, as had been stated by

the Premier, that a Commission was appointed last session. The Commissioners were widely scattered, and lived in all the different Provinces. They had no means of meeting except at the sacrifice of time and money, which it was not deemed advisable to incur. The Commission was, in fact, too large for united action. They adopted the course of sending circulars stating what information was wanted. The result of that inquiry was published, and was now before the House. Since the publication of the report, letters had been received respecting it. One manufacturer stated that if it had been published eight years ago, not only would much money that had been thrown away have been saved, but also fortunes made by individuals and the country largely improved and enriched. That report, however, did not by any means exhaust the subject, or render further inquiry and experiment unnecessary. On the contrary, those who had taken the most trouble in collecting the information therein contained, were most sensible that very little was really known of the New Zealand flax plant, its cultivation and manufacture. Most unquestionably, further inquiry and experiment were necessary, both here and in London. But to get the latter, he did not conceive that it was necessary to have a large Commission in London, or, at all events, not a paid one, as the points on which they wanted information could be sent from this Colony. What they wanted chiefly from London was the best chemical analyses possible of the prepared flax: of what substances that article was composed; what was the cement that bound the ultimate fibre together, and what are the impurities in it; and how much of it, if any, should be removed consistently with maintaining the strength of the fibre. The Maori prepared fibre removed it all, or nearly so, but the expense of dressing it in that way was so great as to make it advisable to use machinery instead of hand labour. Such an analysis as he had alluded to could be easily procured, at a cost not exceeding £20, by one Commissioner or agent. Besides this, and of almost equal importance, was the getting of the manufactured article introduced directly to the manufacturer and not through brokers, all of whom were more or less interested in, or mixed up with, articles used for the same purposes as the flax would be. Another object of the Home Commission would be to ascertain, by proper experiments, to what further uses the flax, as now prepared, might be applied, so as to know the best and most profitable uses to which it could be applied, and, of course, the best trade to engage in. But to enable that Commission to work successfully, it would be necessary that it should be in communication with a Commission working simultaneously in this Colony, and through whom the Colony would get the result of their united efforts. Neither Commission should be large, and the colonial one could be in constant communication with the home one, whenever any advice was required. As he had already said, the report did not pretend to exhaust the subject remitted to the Commission. There were, even now, some

experiments being made by Dr. Hector, which, it was hoped, would throw considerable light on one branch of the subject, and several of the processes now in use required to be further inquired into and their value reported on. He would, with the leave of the House, read the report with which Dr. Hector had furnished him as to those experiments:—

“Colonial Museum,

“Wellington, 12th August, 1870.

“SIR,—I have the honor to forward a table showing the result of certain experimental researches made in the laboratory as to the comparative effect of fresh and sea water upon Manilla and New Zealand flax rope. The samples of the latter rope were manufactured in Auckland, and those of the former were obtained at a store in this town. The effect of the salt water on the durability of these ropes cannot be reported on for some time, and the results now submitted relate only to the alterations in weight and length effected by successive wettings and dryings:—

“1. It was found in every case that the fresh, and still more the salt, water extracted a quantity of greenish black matter from the New Zealand flax rope, but that nothing was extracted from the Manilla.

“2. The New Zealand flax is much harder and stiffer when wet than the Manilla, and looser in texture when dry.

“3. The Manilla shows less difference in length when wet and dry than the New Zealand flax, especially after treatment with sea water.

“The difference between the two kinds of rope is, however, on the whole, very slight, as disclosed by these tests, and only tends to prove that the New Zealand flax rope is more prone to absorb moisture and undergo other changes, indicating that the fibres of the plant still retain more of the properties of fresh vegetable tissue than in the case of the Manilla. The effect of boiling the flax leaf in sea water has been again made the subject of experiment, and it is found that when the leaf is first bruised and then boiled for three hours, the fibres are set free, and a large quantity of extractive matter is removed without their strength being impaired. Fresh water in which flax is boiled becomes acid, but it is singular that the sea water in these experiments remains neutral. The experiments are, so far as yet carried out, interesting and suggestive, and will be continued. I append a former report on this subject, dated 25th April, 1866, which was previously overlooked. Fibre prepared without even the use of a shell, from the tihore flax, has been examined microscopically. Although very strong, the minute fibres were found to be quite free from connective cellular tissue. These fibres are taken from the layer beneath the outside or glazed surface of the leaf, and I am inclined to hold that the chief difference produced by cultivation between the various kinds of flax is the tendency to separate the leaf into two layers—one containing perfect fibres and the other containing imperfect fibres mixed with cellular tissue. If this view be correct, it enforces the extreme importance of cultivation and selection of proper varieties of the plant, and

also the necessity for avoiding the use of machinery which tends to mix up the fibres of the two layers. The Natives avoid this in their method of stripping the flax, and consider the fibre which they reject as worthless. In machine dressed flax an attempt is made to get the whole amount of fibre out of the leaf, and thereby mix up that which is ripe and lasting with that which is sure to undergo further change when manufactured. I shall have the honor to report the results of further experiments from time to time, and would strongly recommend that a careful collection of samples should be made for the purpose of being tested. These samples should not be less than four hanks, or say 10 lbs. weight, and in each case the fullest particulars should be obtained respecting the kind of flax, age of plant, soil, treatment, and other points on which information is requisite for the purpose of making correct comparisons. I have, &c.,—JAMES HECTOR."

	Size of Rope.	Normal Length.	Normal Weight when dry.	Length after 12 hours' soaking in fresh water.	Length after drying at 213° F.	Weight after drying.	Length after 12 hours in sea water.	Length after drying at 213° F.	Weight after drying.	Strain required to gain the normal length.
2 1/2	12	100.30	11.50	11.55	96.76	11.22	11.55	94.80	60	122*
2 1/2	12	106.65	11.37	11.50	98.0	10.8	11.1	100.52	122*	
2 1/2	12	99.20	11.50	11.67	95.15	11.2	11.6	94.47	100	
2 1/2	12	84.70	11.47	11.75	83.1	11.52	11.6	81.33	60	
1 1/2	12	56.80	11.39	11.55	55.95	11.2	11.6	53.75	50	
1 1/2	12	42.83	11.62	12.1	39.1	11.45	11.55	39.00	12*	
1 1/2	12	45.25	11.52	11.67	44.5	11.3	11.7	42.50	40	
1 1/2	12	38.96	11.44	11.56	32.9	11.58	11.8	32.83	45	
1	12	23.55	11.55	12.2	21.55	11.2	11.45	21.83	20*	
3/4	12	19.57	11.23	11.35	17.45	11.26	11.77	17.06	20	
3/4	12	9.50	11.00	11.9	8.55	11.3	11.85	8.75	20*	

* Manilla. The rest New Zealand Flax.

The kind of flax to be cultivated and manufactured has still to be settled. At present every kind of flax was cut down and indiscriminately manufactured. Over thirty names had been given to varieties of flax, but scientific men thought that there were not over four kinds, if so many, and it still remained for investigation which of the kinds of the existing flax should be cut, and which not. Personal inspection in each locality would be necessary to determine that. This was the more important because bad kinds of flax should not be cultivated at all, as it not only did not pay of itself, but its presence in the market materially and injuriously affected the price of the good article. Information on this point would often prevent capital being spent on unproductive works. There still existed great difference of opinion as to the uses to which flax could be applied. Captain Hutton was of opinion that it was only fit for ropes and such like, while, in point of fact, the finest linens had actually been made from it; and this very week they had information from Nelson that a person there was prepared to make the finest lawns, &c., as well as ropes

and paper, from New Zealand flax, and only wanted a little aid to assist him in starting. The same party had sent fibre and rope made from the ghi-ghi or kie-kie. He had also sent samples of a fibre made from the cabbage tree leaf, and these samples might now be seen in the Colonial Museum. A Commission sitting in this Colony should have power to inquire into such processes, and to assist, if necessary, in maturing such as were proved to be useful to the Colony, without waiting for the sanction of Parliament. Even to carry out the proposed exhibitions it would be necessary to establish some standard by which to award the prizes, otherwise the samples submitted must be judged of by their market value at the time, and that might be no safe criterion by which to be guided. A standard must be fixed, and that could only be done by experiments on flax obtained from all parts of the Colony, and these again must be collected by parties acquainted with the subject, who would take the necessary trouble to carry out such experiments, and see them done. For these and many other reasons which might be adduced, it would not be possible to accomplish what was arrived at without having at least a small workable Commission in the Colony, with power to carry on all experiments that might be necessary, in connection with the London Commissioner, to prove not only what the New Zealand flax was, but also to what purposes it was capable of being applied. The giving of prizes, he thought, would not effect the object in view. He would prefer to offer a bonus, extending over a term of three years, for so many tons of rope, paper, and yards of cloth, bagging, &c., or, in certain circumstances, he would give small sums of money on security of property, at 6 per cent. interest. He wished to be permitted to mention, before sitting down, that there was a fair chance of a market for New Zealand flax being opened in the United States. He had himself sold twenty tons of fibre to go to New York, being an order from a house connected with the American trade, and perhaps it would not be an unwise step to send some one there to see whether an outlet in that quarter could not be got for the flax. He might also mention, as a good sign of the times, that Mr. Krull, of this city, had applied for a dozen copies of the report of the Commission, to forward in his official capacity to several of the German States, in the belief that its circulation would lead to emigration from those parts to this Colony; and, should his expectations be realized, a most industrious and useful class of settlers would thus be added to our population.

Mr. W. H. HARRISON had listened with great pleasure to the remarks of the honorable gentleman who had just sat down, and he rejoiced to see the efforts made by the Government to increase the production of flax in the Colony; but, at the same time, he thought they were hoping for too much from the appointment of a Commission such as the Government proposed. He had read the report of the Commissioners, and it would be an exceedingly interesting document to persons engaged in the preparation of the fibre throughout the Colony, but he did not think the

Commission would have any effect beyond inducing persons engaged in the preparation of the fibre in the Colony to send it into the market in a better state. He had some special knowledge in respect to this matter, his friends in Yorkshire being largely engaged in the manufacture of flax. He had seen, during the late Russian war, when fibre in the market was exceedingly scarce, bundles of plantain fibre from Jamaica, and another coarse fibre from China, bought up with avidity by the manufacturers, who were only too glad to avail themselves of anything in the shape of fibre to reduce the cost of hemp. He had seen those fibres applied for useful purposes; they were not, however, used by themselves, but were mixed with others. But the moment the restriction on the introduction of ordinary kinds of flax into the market was removed, all these fibres went out of consumption. He was convinced that New Zealand flax was pre-eminently adapted for being used largely in the manufacture of ropes and twine in Great Britain; but he was afraid that the Colony would only be running after an *ignis fatuus* if they thought that New Zealand flax would take the place of the ordinary flax of commerce for the manufacture of linen fabrics. At the same time, he thought there was practically an unlimited market for those purposes for which hemp was required. If they thought that it would take the place of other fibres for such purposes as the manufacture of woolpacks, cornsacks, and the like, they would be deceived, because they were made of jute, which was a cheaper fibre than New Zealand flax and more easily worked. New Zealand flax was utterly unsuited for that purpose, and it would not pay the manufacturer to send it home at £15 a ton. He recollected, some years ago, an eminent firm in Yorkshire (Messrs. Marshall), who took a great interest in the introduction of new fibres into their manufactories. Amongst others, they introduced the Rhea grass, which he had seen worked into linen as fine as the finest made from flax; but it was only an experiment, and there was nothing practical about it. He thought that the aim of this Colony should be to produce a good marketable coarse fibre, and in that direction he believed the Colony had a market it would be able fully to supply for many years to come. The Colony had suffered severely from the very careless manner in which the flax had been sent home. He went the other day to see a flax mill in Canterbury, and there he observed that five or six different qualities of flax were united together in the same bale, some of which were worth 100 per cent. more than the others. He knew that the manufacturers bought flax in the same manner as the wool buyers bought wool. They took a sample out of the bale, and judged of the whole by the sample they took out. He would like to see the Government adopt a plan similar to that adopted towards the flax growers in Ireland, who were provided with seed and machinery when they required assistance. If the Government would put themselves in communication with the associations in Belfast and Dundee, they would receive some valuable information, which might be of great assistance to them in

endeavouring to promote the extension of the flax industry in this Colony.

Mr. MACANDREW would not oppose the resolution, though he thought the object it aimed at might be gained by a much more simple plan than the one proposed. It appeared to him that the real way of arriving at the mercantile value of New Zealand flax was by offering a handsome reward throughout Europe, England, Germany, France, and America—say a sum of £10,000—to any one who would find out some means of dissolving the gum without injuring the fibre. He did not anticipate much practical benefit from the appointment of this Commission and the giving of prizes. The proper plan, it appeared to him, was to offer such a reward as should bring the mechanical and chemical talent of the world to bear upon this question, so as to cut this Gordian knot. What they wanted to ascertain was, how to get rid of the gum without injuring the fibre, and those purposes to which the flax could be profitably applied. He thought it could be applied to much finer uses than the honorable gentleman who had just sat down imagined. He had seen some splendid specimens of sailcloth made of New Zealand flax for the use of the navy twenty years ago, and it had this peculiarity, that it was not affected by mildew. He had also seen waterproof cloth for military tents made of this flax, and material for soldiers' kits. There was no end to the purposes to which it might be advantageously applied.

Mr. KELLY did not anticipate much practical benefit from the appointment of a Commission in England, excepting that it might be useful in obtaining microscopic and chemical reports, from competent authorities, on the structure and peculiar properties of New Zealand flax. He did not think that any opinions of value could be obtained from England with regard to the manufacture of fibre, as it would be necessary to have large quantities of the raw material at hand to experiment upon, and he therefore thought it would be impossible for any one in England to come to an intelligent conclusion with regard to what steps should be taken to improve the process now in use; but if persons in the Colony were put in possession of accurate and authentic reports on the microscopic structure and properties of the fibre, they would form the ground-work of inquiry as to any improvement that might be made in the preparation of flax in this Colony. There were different reports already made with regard to the structure of the leaf and the chemical composition of its juices, but they materially differed; and, until that was settled, people would be working, to a great extent, in the dark. It had also been said that there would be great difficulty in using these fibres for fine purposes, on account of the ultimate fibres being so very short—according to Dr. Hector, only one inch; and according to Captain Hutton, only half an inch in length. As all fibrous materials must be reduced to ultimate fibres before they can be used for spinning material for fine textures, it was impossible to convert New Zealand flax to any such purpose.

The fibres were kept together, Captain Hutton said, by cement, and Dr. Hector said they were kept together by atmospheric pressure. If these questions were to be reported upon by competent persons in England, who had large experience in investigating the structure of plants, the leaves could be obtained in small quantities in the various botanic gardens. He saw no necessity for appointing a Commission for that purpose. He believed the honorable gentleman stated that he did not contemplate the appointment of a Commission, but of a Commissioner, to make inquiry as to the purposes to which the flax could be applied. He thought that such information would be very useful, because it would enable them to ascertain the manner in which the article should be prepared so as to suit the purposes of the manufacturer who ultimately used it. Some attention ought to be paid to selecting the best varieties of the plant. They knew comparatively nothing with regard to the relative merits of the different varieties of flax in the North Island. During the inquiry held by the Commissioners, a large number of varieties were proved to exist, and the best kinds were cultivated by the Natives for their own use, but little was ascertained with respect to their relative value for manufacturing purposes. He thought it would be very advisable that the Government, in the first instance, should undertake the duty of collecting specimens from the Natives, and establish a kind of nursery ground for the cultivation of them in some central locality. Perhaps Wellington would be the best place. He thought, also, that it was necessary that some experiments should be made for the purpose of trying whether the mode of manufacture could not be improved, with a view of turning out a better fibre. He agreed with the honorable member for Westland Boroughs that they ought to direct their attention, in the first instance, to the manufacture of fibre suitable for first-class rope, before attempting to obtain a finer fibre, because in such cases there were always all sorts of proposals from all sorts of people, suggesting crude and impracticable schemes with regard to the dressing of flax, and asking for the expenditure of public money to help them in their projects. This would have to be carefully guarded against. He moved the following additions to the motion of the Premier:—

1. That microscopic and chemical reports be obtained from competent authorities in Europe and America, on the structure and proximate constituents of New Zealand flax, in its native state.

2. That a sum of pounds be placed on the estimates for the following purposes:—

(a.) For instituting, during the recess, a series of mechanical experiments on New Zealand flax, with a view to cheapen the manufacture, and improve the quality of fibre produced.

(b.) For obtaining a collection of flax plants of the best varieties, to plant in the most convenient locality, for the purpose of making, from time to time, compara-

ative experiments as to the special value of the fibre of each variety respectively.

(c.) For obtaining seed of the best varieties for the purpose of establishing a nursery of those varieties which, on investigation, prove most profitable for manufacturing purposes, and that the seedlings so raised be distributed to the various Provinces for cultivation.

Mr. LUDLAM said, as the honorable member at the head of the Government intended to ask for a Select Committee to consider the question, he would suggest that he should select a Committee of members who were well acquainted with the subject, and leave the whole matter to them. He agreed with a good deal of what was contained in the proposals of the honorable member, but it struck him that they would be better ventilated by a Committee, who would come down to the House with some definite proposals. The suggestions of the honorable member who had last spoken, as to experiments in the cultivation of the plant itself, were, to his mind, very valuable. He quite agreed with the honorable member for the Northern Division, that one great reason why the flax which was sent home was often of an inferior character, was because it was selected from a swamp containing all sorts, sizes, and ages of flax, some a great deal too old to be of any value. There was no doubt there were descriptions of flax in New Zealand which were very valuable, but the difficulty was to know, from any particular name, what the description of the flax was. He had taken some trouble in collecting flax seed, and found that exactly the same variety in different parts of the country was known by totally different names. Therefore, he believed that the suggestion of the honorable member was a good one. The experiment would take a considerable time, because it would be necessary to collect all the different descriptions throughout the country, with their different local names, and plant them in one place. He believed such an experiment would take five years, although it need not be a very expensive one. He trusted the honorable member would accept his suggestion.

Mr. CRACROFT WILSON, C.B., wished to warn honorable members against entertaining too sanguine expectations on the subject of flax. They all knew that the hemp used in Europe came from Russia, and he knew, from information he had received, that Russia was preventing a larger quantity of hemp from going to Europe than was absolutely required, in order to keep up the price of the article. The moment that the New Zealand flax got into the European market, and caused a considerable reduction in the price, Russia could, and would, send ten times as much as she sent at the present time. Therefore, he thought, they would find that competition from New Zealand would, the moment they sent flax home in such quantities as would have the effect of reducing the prices to any appreciable extent, cause Russia to flood the market with hemp. He had been studying the subject for some years past, and he was merely waiting until he could find out the best process of

manufacture. He had opportunities of going into the manufacture of flax fibre perhaps inferior to those of no other man in the Colony, and he was waiting until he could see his way to select the best process of manufacture. With regard to what had been said about the various descriptions and qualities of flax, he believed that the age of the leaf, as in the tea plant, regulates the fineness of the fibre. As long as the present practice existed, of sending home flax of all ages in the same bale, there would be complaints of its inferiority, but after the plantations had been cut down, the leaves would be selected separately, according to the age, so that that evil would be got rid of in time. He approved of the suggestion of the honorable member for the Hutt, and would be glad if the Government adopted it.

Mr. HALL was very glad that the Government had brought forward the resolution; it showed their disposition to address themselves to a subject of great practical importance to the country, and he thought that the proposals which they had made would produce some good result. No doubt, some portions of the proposed inquiry could be carried out more advantageously in the old country than in the Colony; but there was a much larger portion of the inquiry which not only could be done more satisfactorily in the Colony than in the mother country, but which, to his mind, could not be done in the latter country at all. Any experiment or investigation in the old country would start with the great drawback that persons there had not before them, and were unacquainted with, the various machines which had already been introduced, and which were the result of considerable experience in the Colony. The best process of dressing flax could, he thought, only be ascertained in that country where they could get the native flax to dress. If a ship load of it were sent home it would not help matters much, because, it would reach its destination in a state altogether different from that in which it must go to a machine in New Zealand. He thought it would be a great mistake if further experiments should be confined to the old country. He did not understand the Government to stand absolutely by that part of their proposals. He had great pleasure in supporting the amendment which had just been moved by the honorable member for New Plymouth Town. With regard to the prizes which the Government proposed to give, he did not say that they would be altogether useless, but he did not anticipate very much benefit from them. He rather inclined to the suggestion made by the member for Clutha, that it would be well to offer a prize for the solution of the difficulty which was found in getting rid of the flax gum. He did not say that it should be as much as £5,000, as he thought, if the matter were made known, through proper agency in the old country, £1,000 would be enough to induce a large number of chemists to address themselves to the solution of that particular difficulty. He also hoped that the Government would extend further encouragement to the cultivation and

growth of flax, because, although that did not present itself to their minds at the present moment as of great importance, still, looking beyond the present time, it was most important. They had no time to lose, because, at the rate the Native flax swamps were being used up, it would not be very many years before they would have to depend entirely upon cultivated flax. He did not quite agree with the honorable member for the Hutt (Mr. Ludlam), that it would take five years to enable them to arrive at any satisfactory result. He agreed with him, however, that the same plant in different parts of the country was called by different names. In Christchurch, all that was suggested by the honorable member, with regard to the collection of specimen plants from different parts of the Colony, had been tried under favourable circumstances, and the flax was about two or three feet high after twelve or eighteen months' growth, the ground having been specially prepared. Therefore he thought that a less time than five years would suffice to arrive at satisfactory results. As the Government had intimated its intention not to object to the extension of the proposals which they had made, he would not now trouble the Committee with any further remarks, but agreed that the best plan would be to adopt the suggestion of the honorable member for the Hutt, and let the particular means by which the question should be dealt with be discussed and recommended by a Select Committee.

Sir D. MONRO said the Government proposals contained an excellent and a practical idea, and one which he hoped would be acted upon. He thought a great deal of information of a practical character would be obtained by inquiries directed at home among the manufacturers as to the nature of the New Zealand flax, and as to its qualities and peculiarities as compared with other flax. With regard to that, he thought they were very much in the dark, and an inquiry such as he had mentioned would, no doubt, prove to the Colony that there were certain defects in connection with the flax which they did not, as yet, perfectly appreciate. With regard to what had been stated by the honorable member for New Plymouth Town, as to the microscopic and chemical observations, no doubt they were very interesting, but he did not think they would result in any practical benefit. It was not in that way, as a general rule, that the value of such things as flax was ascertained. Their practical value was discovered by other and more empirical methods. But, if anything of that sort was to be done, he would submit to the honorable gentleman that the terms of his amendment were not very well chosen—he did not know whether the honorable member meant that the reports should be obtained from European authorities?

Mr. KELLY.—Yes.

Sir D. MONRO thought it was a pity the honorable member had not stated that, because, as the motion stood, there was almost a suggestion contained in it, that investigations of that sort could not be carried on in New Zealand.

He hoped the honorable member would amend his motion in the manner he had indicated, so as to remove the apparent slur which was cast upon certain persons in New Zealand. He had no objection to the honorable member's proposal, although he did not believe any great addition could be made to the knowledge already obtained on the subject. What they wanted to know was, whether the British manufacturers discovered in the flax anything that was peculiar, and to obtain from them any suggestions which might lead to an improvement in its preparation. He believed a great deal of useful information could be got in that way, and he trusted to see it carried out.

Mr. KELLY said, with regard to the omission pointed out by the honorable member, that it was merely an oversight in writing out the resolutions, and he had not the slightest intention to cast a slight on any person whatever. He was aware that very valuable reports had been obtained on the subject in this Colony. It was merely to enlarge their knowledge with regard to the structure and nature of the plant, that he had thought it desirable they should obtain the information he sought through the Commissioner who was to be appointed in England for the purpose of making inquiries as to the uses to which flax fibre was best adapted. He would ask leave to amend his motion by inserting the words "European and American" after the word "competent" in the first resolution.

Leave was given, and amendment as amended agreed to.

Mr. PEACOCK did not see the object of appointing a Commissioner in England, or what practical benefit would result, because, unless they had the raw material, they could not deal with the subject at all. He would rather see a Commission of the kind appointed in the Colony. His opinion was that the want of capital had hitherto prevented the full development of this branch of industry, and he thought that they should encourage manufactures in the Colony by advancing money, even without interest, for a given period, to parties willing to embark in the undertaking; but he would not lend to any one unless they first started a manufactory, and gave what they spent themselves as security for the money borrowed. Then, again, he would give a bonus to the manufacturer who would produce the first 10,000 wool-packs and 20,000 corn-sacks which could be sold at a price slightly in advance of English prices. By such means as these, he believed we should soon discover for ourselves to what other purposes flax could be applied. It might be said that the labour necessary would be too high in the Colony, but when they came to consider the great cost of freight of the raw material to England, and of the manufactures back again, they would see that the gain in that respect would compensate for the amount of extra labour. Again, if they were to encourage such manufactures they should get a large population, which would lead to other manufactures, and, at the same time, provide a market for other colonial productions. He did not think any benefit would

result from sending to Europe or America for information concerning the flax, because he was certain they could do nothing unless they had the raw material to operate on.

Mr. FOX said the suggestions which had been made rendered it desirable that the whole subject, with the motion and addition, should be referred to a Select Committee to frame regulations, and, after the resolutions had been agreed to and reported to the House, he would ask permission to make a motion to that effect without notice.

The resolutions as amended were agreed to, reported to the House, read a second time, and agreed to.

Mr. FOX moved, without notice, That the resolution agreed to, on the subject of flax, on the motion of Mr. Fox, as amended on the motion of Mr. Kelly, be referred to a Select Committee to consider the same, and make further suggestions. The Committee to consist of Mr. Macfarlane, Mr. Ludlam, Mr. Hall, Mr. W. H. Harrison, Mr. Peacock, Mr. Edwards, Mr. Kelly, and Tareha. Five to form a quorum, and to report in a week.

Motion agreed to.

PETITIONS.

Mr. CRACROFT WILSON, C.B., said he understood that the motion which stood on the order paper in his name was in conflict with the privileges of the House. If that were the case he would alter it. He might say that he had placed the motion on the order paper in the form in which a former standing order existed, but, before he proceeded further, he would like the Speaker to rule on the point raised.

The SPEAKER said there must arrive a period, when the session was near its close, when there would be no time to consider petitions; but that was a different question from the right which was possessed by every subject to approach the House by petition. That, he apprehended, was a right against which the House would be careful not to close its doors. He thought the honorable member would find it possible to modify his motion.

Mr. CRACROFT WILSON, C.B., said he would ask leave to amend his motion as follows:—That petitions presented to the House after the lapse of sixty days, including the opening day of a session, shall not necessarily be referred to the Public Petitions Committee unless the subject matter thereof be founded on an occurrence which has taken place during the session, and within one calendar month of the date of the occurrence. In the original Standing Orders there was a rule to the effect that no petitions presented after the lapse of thirty days should be received by the House. That, he believed, was the rule, but, as it was eight years ago since the order was rescinded, he could not speak so positively as he otherwise might do. At all events, the limit was thirty days, and he now proposed that the period should be sixty days. He ought to inform the House that Standing Order 260, which prohibited the presentation of any petition asking for money or compensation if it had not been recommended by the Crown, having been rescinded, a large class

of petitions which were formerly excluded were now received; and he might state, further, that during the present session ninety-four petitions had been presented, of which eighty-six had been reported upon and eight were under consideration. It was not from any desire to save the Committee undergoing additional toil or trouble that he now moved in the matter. His object was to induce honorable members to cause those petitioners who desired to present petitions, to bring them forward at the commencement of a session, so that as much time as possible might be afforded for their due consideration. It would be very easy for those persons who desired to have petitions presented in reference to occurrences which took place before the commencement of a session, to send them to the House within the time he had mentioned.

Motion made, and question proposed, "That petitions presented to the House after the lapse of sixty days, including the opening day of the session, shall not necessarily be referred to the Public Petitions Committee unless the subject-matter thereof be founded on an occurrence which has taken place during the session, and within one calendar month of the date of the occurrence."—(*Mr. Cracroft Wilson, C.B.*)

Mr. PARKER said he would wish to know if the honorable member for Coleridge intended, by this motion, to prevent the right of the public from petitioning this House. If the motion intended that petitions could be received and heard before the House instead of being referred to the Petitions Committee, he (*Mr. Parker*) would not object to it, as he thought that would be rather an advantage than otherwise. It must be remembered that many petitions were founded on matters which arose in the House, and he did not think any steps should be taken which were likely to prevent persons being heard by petition, even up to the last day of a session.

Mr. CRACROFT WILSON, C.B., remarked that the cases alluded to were excepted.

Mr. DIGNAN said he hoped the House would not agree to the motion. He did not think honorable members should take any step which was calculated to prevent the House being addressed by petition. He intended to vote against the motion.

Mr. CARLETON said that the motion as amended would not have the effect which some honorable members appeared to anticipate. The right to petition the House would not in any way be interfered with; it was only proposed to modify one of the forms of the House, namely, as to the manner in which a petition should be presented. It was simply a matter of detail; there would be no interference with the principle—a principle which he was as strongly desirous of seeing untouched as any other honorable member; but these technical forms they were at liberty to alter, and they could do so without infringing the principle involved. He would have preferred that the matter should have remained unaltered; however, the honorable member for Coleridge had had more experience in the matter than himself.

The honorable member found that, at the present time, some practical inconvenience was involved, and in consequence of the opinion expressed by the honorable member, which was more valuable than his own, he intended to support the motion as amended.

Mr. CRACROFT WILSON, C.B., said he might mention that the motion, if passed, would become one of the Standing Orders. The motion provided for all cases which occurred during a session, and they would be considered even if they were brought before the House an hour before the close of a session. There was a petition which had been fully reported upon this session, from a Native, claiming compensation in respect of a block of land at a place called Waitara North, or which was, perhaps, better known as White Cliffs. A similar petition was presented at the close of last session, and a report was drawn up setting forth that it would be impossible, at that late period of the session, to go into the case fully and report upon it. He thought it would be as well that the public should know it was not desirable to delay the preparation and presentation of petitions, on matters which had occurred a long time previously, until the end of a session, and when, in fact, there was no time to deal with them.

The SPEAKER said the honorable member for Coleridge was under a misapprehension in saying that the motion, if passed, would become a Standing Order. It was simply a resolution, and would have no effect beyond the present session.

Motion negatived.

MOUNT BENDER PETITION.

On the motion of Mr. BROWN, it was ordered, That the petition of miners and agricultural leaseholders resident at Mount Benger be printed.

CONFISCATED LANDS, AUCKLAND.

Mr. GILLIES, in moving the motion standing in his name, said he should endeavour to detain the House as short a time as possible. Honorable members would recollect that, at a very early period of the session, he moved that certain returns should be laid on the table. A portion of those returns had been furnished, and a portion, so far as he knew, had not been furnished. A return had been laid on the table relative to the cost of the administration of the confiscated lands, but the return asked for in regard to the quantity of confiscated lands, and as to how they had been dealt with, had not been furnished. He desired that the information should be laid on the table for the benefit of honorable members. He was himself possessed of the information, and was satisfied that it was correct, and he was surprised it had not already been furnished to the House. From the return which had been already laid on the table, it would seem that the administration of the confiscated lands had been costing more than had been derived from them. Of course, he was now simply referring to the administration of the confiscated lands, not to the war expenses; but, he

repeated, the mere administration of the confiscated lands had, for years past, cost more than they had produced, and, if they considered how the expense had been incurred, it would appear very clearly that it could be reduced. At the present time the confiscated lands were administered through the means of the resident agent at Auckland, of the General Government, and there was also a survey establishment kept up in connection with these lands, separate and distinct from the Provincial Government establishment. In fact, there were not less than three different establishments in Auckland, and they ought to be combined, so that, instead of three, there should be only one department. Hitherto, there had been the ordinary administration of the provincial lands, then there was the General Government administration of the confiscated lands by means of the agent of the General Government, and he now perceived that there was another mode of administration to be instituted, totally different from either of the other two. From certain passages relating to Major Heaphy's appointment, he found that part of his business was to undertake the supervision of lands taken under "The New Zealand Settlements Act, 1863," and the New Zealand Settlements Act Amendment Act. One passage was as follows:—

"The conduct, under the Minister in charge, of the administration of the lands taken under the New Zealand Settlements Act is also another duty which will devolve on you. It is expected that there should be an officer who would be fully informed on all points connected with that administration, and who should furnish the Secretary for Crown Lands, for record, with details of it, and tracings of all surveys connected therewith."

That was a third mode of administering the lands within the Province. First, they had a provincial administration, then there was an administration under the General Government by means of the agent of the General Government, and now there was to be another officer appointed, who would have the supervision and selection of lands for immigration and other purposes. That appeared to be worse than anything the provincial system had been accused of. It was in reality creating a number of departments for which no necessity existed, but which could as conveniently be amalgamated. He was aware that it was formerly endeavoured to hand over the administration of the confiscated lands to the Superintendent of the Province of Auckland, as the general agent of the Government.

Mr. STAFFORD.—No, it was proposed to be handed over to the Province of Auckland.

Mr. GILLIES said he did not know what was contemplated.

Mr. STAFFORD asked whether the honorable member referred to the negotiations of 1866.

Mr. GILLIES.—When they were handed over to Mr. Whitaker, and a large amount was charged against the Colony, and not against the Province.

Mr. STAFFORD said a proposition was initiated by Mr. Weld's Government, to hand over the administration of the confiscated lands to the Province of Auckland, and when he (Mr. Stafford)

came into office, he endeavoured to complete that arrangement, by placing them in the hands of Mr. Whitaker, who was the Superintendent of the Province, and the agent of the General Government. It was, however, a condition that the Province should take up all the existing liabilities, and there were other conditions which he did not now recollect, but Mr. Whitaker drew back, at the last moment, on account of the large liabilities. He subsequently acted as agent of the General Government, and the £100,000 which had been advanced, and which was to have been charged against the Province of Auckland, was defrayed by the Colony.

Mr. GILLIES said the honorable member was perfectly correct. He had been merely alluding to the fact that the action taken by Mr. Whitaker, in his double capacity as Government Agent and Superintendent, did not turn out very satisfactorily for the Colony. He desired to show that simplicity of management would tend to efficiency of management, and that the lands in question would be better administered by the Provincial Government of Auckland, than they could possibly be by either the resident agent, who was constantly referring matters to Wellington, or by a commissioner such as the honorable and gallant gentleman he had mentioned. He thought that the Colony would make a profit out of the transaction, so long as it was indemnified against all cost. That was all he proposed at present. He did not propose to go into the special terms. It would be sufficient to provide that the administration should not be transferred if it involved any large colonial expenditure; in fact, that if the Province undertook to indemnify the Colony from that constantly recurring expenditure which had lasted for years, the administration of the lands should be handed over in such a way as to secure all existing contracts and liabilities.

Motion made, and question proposed, "That, in the opinion of this House, it is expedient that the colonial revenue should be relieved from the cost of administration of the confiscated lands in the Waikato and Bay of Plenty districts, and that such administration should be transferred to the Provincial Government of Auckland, upon such terms, not involving any further colonial expenditure, as may be arranged between the Colonial and Provincial Governments."—(Mr. Gillies).

Mr. McLEAN said that this subject had been under the consideration of the Government for some considerable time, with a view, when possible, of handing over certain portions of the confiscated lands to the administration of the Province, inasmuch as it had been found that duplicate land departments were attended with considerable expense. There were, however, many outstanding negotiations and obligations of the Government towards certain tribes in the north part of the country, and it could not, consistently with its duty to them, hand over those lands to any Province until the claims to which he had referred were finally settled. Although the returns on the table of the House gave general information on the subject, there were no details showing the expense of administration

and the quantity of land disposed of. With respect to the constitution of a new department, and the appointment of a commissioner to look after those lands, it had been found that the gentleman who had been appointed could not devote sufficient attention to them, as his duties in connection with the Native lands had fully occupied his time. The Native reserves had been so much neglected that many of them required to be surveyed, and it was found by the chief judge of the Native Lands Court that there was an absolute necessity for the appointment of an officer to look after the interests of the Natives and of the Government at sittings of the Court, and to give information on the subject of those reserves, and place them upon a more satisfactory basis. Even in Wellington there had been considerable neglect, for many years past, with respect to Native reserves, and a good deal of difficulty had existed between the Government and the Natives. There had also been considerable neglect in the North, and it was absolutely necessary that there should be an officer who could devote the necessary attention to the subject. It was true that when he was appointed it was expected that his duties might extend further, and that he might assist in other matters, but it was found that the reserves would be neglected if he attempted to look after the confiscated lands, and therefore he was confined to looking after the reserves. The Government desired to do away with duplicate departments as much as possible. The confiscated lands were always a source of difficulty, and he was quite sure that the honorable member for Mongonui would find that they were not so easy to administer as he imagined. The Government would have no objection to the motion, on certain terms, always with the reservation that, in cases where it had to fulfil obligations with any tribes, no lands should be handed over which might be productive of future embarrassment.

Mr. STAFFORD said that there was also to be taken into account what consideration the Colony was to receive for parting with those lands. At the time of the negotiations referred to by the honorable member for Mongonui, there were liabilities upon the confiscated lands to the extent of a quarter of a million of money; and it was in consideration of the Province of Auckland discharging those liabilities, and the Colony being relieved from them, that it was proposed to give those lands to the Province for what they were worth. That phase of the conditions was altogether changed now. The Colony had paid the whole of those liabilities out of its own funds, and, with the exception of those liabilities to the Native tribes which had been referred to by the Defence Minister, there were no pecuniary liabilities affecting the Colony generally to the extent of anything like the value of those lands, which would soon become greatly increased in value owing to the operations of the scheme which had been under the consideration of the House. The proposed railway towards the Waikato would largely increase the value of the unsold lands there, and of the confiscated lands generally. If the con-

fiscated lands were to be handed over to the Province of Auckland, for the benefit of the Province, as waste lands of the Province, some value should be received in return. If it were not to be so, why should not the Provinces of Taranaki and Wellington also get the confiscated lands within their boundaries for nothing? The question could not be decided by the passing of a simple resolution such as had been proposed, which was altogether barren of any terms or consideration. Under the very indefinite word "administration," the Colony might find that the lands had been given away. "Departmental" might mean supervision for another or for one's self, and he presumed that the latter was what was meant, namely, that the lands were to be given to the Province of Auckland. The Province of Auckland was to bear all the charges, and receive all the profits which those lands might bring. If that were not the case, his objection to the resolution was at once disposed of, nor was he prepared to say that it might not be a profitable transaction to the Colony; but he should in the first place like to have some data as to the position of the lands, and the amount of Native and other claims which were still unsettled; and if it were found that it was only a question of £8,000 or £10,000, he should be willing to give them to the Province of Auckland. It was necessary, however, before the House expressed such an opinion, that it should be in possession of some further information. The question of past administration had nothing to do with the future. What was to prevent the resident agent or resident minister at Auckland, under the system of Orders in Council, from selling those lands? What did the great difficulty of administration mean? There were Commissioners of Crown Lands in other Provinces where there were six or eight millions of acres of Crown lands, and he had never heard that there was any difficulty in administering them. In this case there were only some 200,000 or 300,000 acres, and yet the expense of a duplicate machinery was talked about? He did not know what it was, or what it was required for. He was prepared to say that any person engaged in transacting other business could do all that was necessary, excepting in respect to the settlement of Native claims, which should be still left to the Native department. The past administration had been very expensive, because very many novel and special acts were required to be done, such as the maintenance and location of the military settlers, and the surveying the land given to them into minute allotments, town sections, suburban sections, and rural sections, under the New Zealand Settlements Act. That was all over and done with, and the claims of the military settlers for land were all satisfied. The Colony had made the survey of those lands,—they comprised the only part of Auckland which had been really well surveyed. (Oh!) If other parts of the Province had been well surveyed, he was very happy to hear it. The Colony, having completed a very troublesome and expensive work, was now in a position to go on for the future with little or

no expense of administration. He could easily do all that had to be done without occupying more than three hours a week, and there were hundreds of others who could do so. It was simply asking the House to take a leap in the dark, to request that those lands should be handed over without any consideration. Taranaki was just as much entitled to the same favour, and on the same terms.

Mr. RICHMOND did not rise to oppose the motion, although he thought there were some inconveniences about it. The Native Minister said that he must not be called upon to deal with those lands in a wholesale manner, until certain pending arrangements were completed. He would suggest that it would be inconvenient to relinquish the lands so long as there was any body of Natives who might yet come in and become more thoroughly friendly than they were at present; and that full power should remain in the hands of the Government to make reserves from time to time. There was, for instance, a large party at the Upper Waikato, which, for years past, had been guiltless of any aggression, and which we should be glad to see in friendly relations with ourselves. The honorable mover said he was acquainted with the actual condition of the accounts in respect of those lands, and told them in general terms that they were not paying expenses. He was surprised to learn that, because it was not the case last year. He did not mean to say that the total expenditure charged on those lands last year was met by the receipts in cash, but it must be remembered that the bulk of the expenditure was not for the administration of the lands at all, but for carrying out the New Zealand Settlements Act, or for the payment of compensation. A large portion of the land was taken up by scrip, and it was necessary for the Government to issue grants, and that could not fairly be charged against the department for the sale of the confiscated lands. In the year ending June, 1869, the cash receipts of the department were considerably more, little as they were, than anything which could fairly be charged as cost of administration. Of course, he excluded the payment of cash compensation, and the expenditure for preparing the grants still due to military settlers and compensation scrip-holders. The honorable gentleman was under a misapprehension as to the existence of two survey departments under the General Government, unless one had been created lately. It was true that in the return there were charges for surveyors, but there was no real distinction between surveyors employed under the inspector of surveys for the Native Lands Court and those for the confiscated lands; one gentleman was at the head of the department, although part of the expenditure was charged to one account and a portion to another account. He imagined that to be still the case.

Mr. GILLIES.—No.

Mr. RICHMOND.—The honorable gentleman was mistaken. There was an office in which the maps of the confiscated lands were kept, and in which an officer registered purchases and the

issues of grants, but there was no survey department, properly speaking; the surveys were executed under the direction of Mr. Heale. The returns before the House did not show what were the receipts, but he observed that in the last year, since the payment of the scrip, there had been comparatively little expenditure. The great bulk of the expenditure was in the last two years, when the House voted a sum expressly to meet outstanding liabilities; but those were expenses of the war, and not of the administration of the confiscated lands. He saw one item in the return which ought not to appear there at all. In the Province of Taranaki there was £200 balance due on a purchase which was not confiscated land at all, and which amount should be charged against the New Zealand loan of 1866, as it related to part of the purchases made by the old land purchase department. He should be very glad to see the lands in the hands of the Province, and to see them administered, as he had no doubt they would be, for the purpose of settling the country. It did not appear to be a matter which the House was very much concerned about in a financial point of view, as the total risk likely to arise from the remains of those lands would not be very great; but, at the same time, the Government should retain the fullest discretion in regard to them. The Confiscated Lands Act of 1867, the honorable gentleman was probably not aware, gave the most ample powers to the Government, wherever it appeared that the public service would allow of it, to hand over the whole or any part of the lands to provincial administration upon any terms they might think desirable, if the Government thought they could do so without crippling themselves in respect to any dealings they might be likely to enter into, say, with the King Natives. He did not think that the House need be at all jealous of giving those lands to the Provincial Governments, because the Government had not, in their colonization proposals, taken upon themselves the charge of making provision for immigrants upon their arrival. He thought that omission was a very great blot on the Government proposals, but the House had not thought fit to modify them, and it therefore became its duty to supplement them by agreeing that a portion of those lands might be handed over, at the discretion of the Government, to those charged with the duty of settling their immigrants.

Mr. CRACROFT WILSON, C.B., was astounded at the proposal to hand over to the Province of Auckland, without any consideration, the "magnificent estate" which, they were told, in 1863, was to recoup the three million loan. He remembered in one debate, when some members from the Middle Island were speaking on that subject, that the honorable member for the Hutt (Mr. Fitzherbert) got up and chided them for their selfishness in wanting that ewe lamb, alluding to the confiscated lands in the Province of Taranaki. That must be the ewe which had been hypothesized to them some years ago: she had given no increase, and a very small fleece, and she had been so subject to all the cutaneous diseases to

which sheep were liable, that she had cost a great deal of money.

Mr. MOORHOUSE was not at all surprised to see the honorable member for Mongonui moving in this matter, but he thought that, in discussing the subject, they had forgotten that they were entering upon a new order of things altogether, and the only question the House had to determine was, whether it was expedient that the Provinces should manage these lands, and, if so, whether the proper time had arrived for handing them over to the Provinces. He thought there could be no doubt that the time had not arrived. Those who were in a position to give an opinion had made that announcement, and they should be taken at their word. He hoped the House would support the Ministry in holding this and every other part of its position until it met a fresh Assembly, and was able to give a better account of its stewardship, and to advise with the House on every part of its administration.

The hour of half-past five having arrived, the Speaker left the chair.

HOUSE RESUMED.

On the House resuming at seven o'clock,

OTAGO HUNDREDS BILL.

On the motion for going into Committee on this Bill,

Mr. DRIVER asked whether it was competent for an honorable member to propose amendments or additions to the Bill before the House, such as those of which notice had been given by the honorable member for Manuherikia, involving principles entirely opposed to those contained in the Bill, and which had not been referred by this House to the Waste Lands Committee. The proposed amendments went beyond anything contemplated by the Otago Hundreds Bill. The honorable member for Manuherikia proposed his amendments to the Waste Lands Committee, but they had declined to entertain them, on the ground that they went beyond the question that had been submitted to them by the House, and involved principles entirely different.

The SPEAKER said, when the Bill went into Committee the Chairman of Committees would decide whether any amendment offered was relevant to the Bill before the Committee or otherwise. With regard to the other question, whether it was competent to move an amendment in Committee which had not been approved of by the Waste Lands Committee, he thought any honorable member, in Committee of the whole, was perfectly free to submit any resolution he might think proper, although it had not been previously before the Waste Lands Committee.

Mr. HAUGHTON said he wished, before the Speaker left the chair, to say a few words on this Bill, as he had not had an opportunity of doing so previously. He had heard an expression used that they were about having an Otago free fight that evening, and many honorable members had removed themselves from the Chamber on that account. If honorable members considered the question of settling the people on the land a mere

joke, it was better that they should leave the Chamber—better, in fact, that they left it altogether, and sent in their resignations to the Speaker. In alluding to the Bill before the House, it was necessary that he should refer to the question raised by the Act of last year, and the state of things established in Otago by the passing of the Bill of 1866. Without going into the question of settlement by means of hundreds, which was, no doubt, familiar to the minds of honorable members, he would state that, under the Act of 1866, power was given to declare hundreds in Otago outside the gold fields, and the pastoral tenants were allowed to obtain leases in lieu of their licenses upon very favourable terms, and were to receive compensation in the event of hundreds being declared within their runs not exceeding an equivalent to three years' rental. This legislation was the result of a compromise, considered at the time satisfactory by the members representing the pastoral and gold fields interests. He would not take the view entertained by many members of the Otago Council, that the House of Representatives had no right to interfere with the waste lands of the Province unless the question were submitted by the Provincial Council; but he would state what the House did last session, and what they proposed to do now by the Bill under consideration. The Council having taken no further action, the Provincial Government carried out the Act of 1866 with very considerable success. Last session, in the midst of great turmoil and political excitement, a Bill was brought down. He was absent in Auckland at the time, and he wished to point out what changes were effected by that Bill. As he had said before, there had been, under the Hundreds Bill of 1866, a power given to declare hundreds, with a plan of compensation perfectly fair and equitable. The Bill passed last session, however, made certain alterations. In the first place, it limited the acreage of the hundreds. It decided that no hundreds should exceed 15,000 acres in extent, and it then went on further to provide that, while the hundreds should not exceed 15,000 acres, they were not to be declared unless one-half was proved to be agricultural land by certain officers appointed to report by the Government. He would appeal to honorable members who were expert with regard to the quality of land, to say what were the difficulties thus placed in the way of the working of the Act. The return laid on the table of the House, and the speech of the honorable member for Bruce, which appeared in *Hansard*, on the motion to repeal the Act of last session, would show that the quantity of land declared for hundreds had not been beyond the necessities of the people,—though great portions of it had been bush, marsh, and poor land, a very great portion so declared had been taken up for actual settlement. The legislation of last year was an innovation—an innovation not demanded by the people of the Province,—which was received in the Province with universal reprobation. It further interfered with the question of compensation, and that was a very important matter. Instead of the compensation being not to

exceed three years' rental, as provided in the Act of 1866, the clause introduced was of this character: The holders of land were entitled to compensation, not to exceed 2s. 6d. per acre; they were also to be paid for improvements, which were to be carefully estimated, and included fencing, draining, and the laying down in English grasses. He thought it was quite unnecessary to refer further to this clause of the Act. It was entirely an innovation upon the Act of 1866. So far for the Act of last year, and its relation to the Act of 1866. He would next address himself to the Bill before the House, which had been sent down by the Waste Lands Committee—a fact apparent upon the face of it. It was sought, by the proposed Bill, to alter the area of land proclaimed in the hundred required to be agricultural land. No land should be declared a hundred unless it contained one-third suitable for agricultural purposes. Last year it was required that the agricultural area should be one-half; this year it was proposed to make it one-third. An additional 5,000 acres was also proposed as the extent of the hundred, so that no hundred should now exceed 20,000 acres. Several new features were introduced. For instance, there was one matter which was not proposed in the Act of 1866, nor in the Act of last year. The Act of 1866 gave a pre-emptive right to the pastoral tenant of eighty acres, for the purpose of erecting his homestead, and the clause in the proposed Bill gives a pre-emptive right of one square mile—640 acres. It also, by clause 7, allows pastoral tenants within gold fields to take up agricultural leases for 640 acres. To this clause he wished more particularly to call the attention of honorable members. Under the Gold Fields Amendment Act, no person can take up within a gold field more than 200 acres for agricultural purposes; and, if his memory served him rightly, after three years' occupation and payment of rent, if it had not proved auriferous, he was allowed to buy the land at the upset price, which, in Otago, was £1. This was, provided that he had made certain improvements, reported by the warden's officers as satisfactory, and in accordance with the regulations. The clause in the proposed Bill purported to allow the pastoral tenant to take up 640 acres under one lease, and, though one part of the clause said that it was to be subject to the provisions at the time in force for the regulation of the lands within gold fields, another part said that if the land was not proved to be auriferous within six months, the person in possession would be allowed to purchase it. He would next call the attention of honorable members to clause 12 of the Bill, which had been introduced by the Committee on Waste Lands. That allowed licensees, who had not, up to the present, taken advantage of the Act of 1866, to take the benefit of it, and obtain leases according to the terms of the Act. The last clause of all was not of so much importance; it simply reduced the fee of £10 which was paid for the lease and the transfer of the lease to £1. He wished next to allude to the stock argument in favour of the measure under discussion. They had heard that

the Provincial Council of Otago had taken the subject into their consideration, and passed certain resolutions, upon which this Bill was founded. He held these resolutions in his hand, and he would give honorable members an idea of how they passed the Council. It had been stated that the honorable member for Bruce had acted inconsistently in endeavouring to repeal the Act after himself bringing down these very resolutions; but they all knew what political combinations were. They occurred in the House as well as in Otago. Now, these resolutions were simply passed to carry out a combination of that kind. It became a question whether the Act of last year, with all its imperfections, should be put in force by the persons then in office, and who would use the power judiciously, or whether they should give up office to a party who would put the Act into force to the very letter. He believed, as in all cases of compromise, a mistake had been made. He thought they should have let the other side go into power and work out their wicked will, and answer for it to the people, rather than have passed such resolutions. But there was another point. Honorable members had had the opportunity of seeing the resolutions, and comparing them with the Bill under consideration. He asserted that the Bill did not carry out the resolutions. It went very far beyond them, and even supposing these resolutions did express the mind of the people of Otago, which they did not, still the Bill went further than they at all contemplated. He hoped, if the House determined to pass the Bill, that they would do so in a greatly modified form. He regretted taking up the time of the House, but he wished to indicate the line he would adopt towards the Bill in Committee. He intended to strenuously oppose clauses 3, 4, 6, and 7.

Mr. VOGEL wished to say a few words in reply to the honorable member who had last spoken. He thought the honorable member, in dealing with the history of the Act, should have gone back to the time when the Act of 1866—owing in some measure to the mistaken exertions of the honorable member himself—became law. If the system of hundreds had not then been adopted, a much better system, and one, he believed, more in accordance with the wishes of the people, would have been introduced, namely, that of free selection. The honorable member was then a newly-elected member, and was upon the side for which he did not now evince much sympathy. He was recognized then as a representative of the pastoral interest in the House.

Mr. HAUGHTON.—No.

Mr. VOGEL.—At that time, the representatives of the pastoral interest looked upon the honorable member as their very able champion. He had come up to resist the repeal of clause 28 of the Bill, which gave the miners the right of selection on the gold fields for agricultural purposes, a right conferring very large power. The honorable member sacrificed that clause, and, in exchange, obtained what perhaps he mistakingly supposed to be equally as good, but he (Mr. Vogel) had taken the view that the honorable member was not serving the interests of his constituents, and he wrote out a

paper to the effect that the miners were not benefited by the change, which he asked him to sign. But the honorable member was under the impression that it was the pastoral interests, about which he was now so severe, that should be regarded. He (Mr. Haughton) was one of those opposed to allowing the people of Otago to decide whether they would have free selection, or that the hundreds system should continue. He (Mr. Vogel) moved new clauses for the purpose, and he was supported by the honorable member for Dunedin (Mr. Reynolds), who left the House a few days ago, by the honorable member for Clutha, and by others. He referred to those clauses which stated that the Governor should have it in his power, so many days after the next session of the Provincial Council of Otago, to substitute the system of free selection for the system of hundreds. Had those clauses been allowed to pass—and they were purely of a provincial character—he (Mr. Vogel) believed the system of free selection would have been adopted. He would not go through all the stages of the question. A change came over the spirit of the dream of the honorable member for Hampden, who next appeared upon the stage, not as a supporter of the pastoral interests, but on the opposite side. Meanwhile, under the legislation which the honorable member had a share in promoting, the runholders obtained long leases. As soon as those long leases were granted, and the intention of the Act carried out, an agitation was commenced in another direction, and views were put forward destructive of the value of vested interests. He did not say that the honorable member had gone the length that some persons had gone, but indirectly he countenanced views which were neither more nor less than repudiation. Without going into minute particulars, he would refer to a certain piece of country in the Province than which it would be difficult to conceive anything more rugged and desolate—a piece of country situated on the top of a bleak range of hills, and which no person would ever dream of purchasing. The license holders impounded any cattle found running upon it, which of course they had a perfect right to do. An agitation was commenced to declare that part of the country into hundreds. After some time, a number of persons wrote down on paper that they were prepared to buy so many acres of the land. The matter was brought before the Provincial Council, which acted upon the document, and decided that the land alluded to should be declared into a hundred. There was another piece of country in a somewhat similar position; a number of persons put down on paper that they were prepared to buy so many acres. That land was declared a hundred. The effect was that the land taken up for settlement was inconsiderable. The quantity purchased in the first case was about 1,000 acres, and a great portion was purchased by the proprietors of the run. It was the same in regard to another hundred, but he did not know the exact amount of land purchased in that case. The greater quantity was, however, purchased by runholders, and not by the signers of the document. That state of things resulted in a system

of terrorism. A Select Committee sat in Otago, and certain written questions were sent out, amongst others being the following:—"Would you, in any case, consider it right and politic to proclaim purely pastoral land into hundreds?" The answer given by the present head of the Provincial Executive, Mr. Donald Reid, was, "Yes, I can imagine cases in which it would not be wrong, and in which it would be politic, to proclaim purely pastoral land into hundreds." That opinion was on record, and it was necessary that a superior power should protect those whose interests would be imperilled in consequence of an opinion of the kind. That opinion was not one held by the gentleman referred to only, but it had a large number of supporters in the Province of Otago, who thought that it was perfectly legitimate to take purely pastoral country from the runholder, and to divide it among other persons to run their cattle upon. That was neither more nor less than repudiation. The state, by the leases it had granted, said that the land should be held for pastoral purposes until required for settlement. Whether they considered the agreement in the spirit or the letter, it meant that the land should be held for pastoral purposes in the aggregate until wanted for other purposes. It was not meant by "other purposes" that the land should be used for precisely the same purposes by fifty people instead of by the lessee or lessees. He (Mr. Vogel) was opposed to anything in the shape of humbug. The Act of last session was undoubtedly, to some extent, an evasion of provincial rights. That legislation was forced upon the House in order to protect those who had a claim upon the House in respect to the risk to which their property was subjected. There could be no question that whilst the management of the waste lands rested in the hands of the Provincial Council of the Province, those interested had the right, if damaged by the action of the provincial authorities, to come up to the higher authority—to the Assembly, which gave the power to the provincial authorities,—and to ask for redress. The runholders of Otago were in that position, and that was the state of things under which the Act of last session was passed. What did that Act say? It simply said that, in future, the declaration of hundreds—the deciding of questions which, in many cases meant ruin, or the reverse, to persons interested—should not be a matter about which there should be no rules for guidance—about which there should be nothing but mere caprice to lead to a decision; but that there should be rules, and a definite plan laid down, according to which the decision should be arrived at. Was it unreasonable to say that a person who invested his whole wealth in pastoral country, knowing that his success or ruin depended upon whether it was decided that that country was required for settlement, should know the manner in which the decision was to be arrived at? He should be allowed to give evidence in the case. That was all the Bill proposed to do. It stated that they should not take the land of pastoral tenants, and declare them hundreds, without having something in the

shape of a constituted tribunal before which the evidence should be taken, and an expression of opinion given upon it. That was not a large amount of justice to give to the runholders. The Act would confer great benefit on the Province of Otago, because it would remove a very fertile cause of disputes, disturbances, and political disagreements, which had for years existed in the Province on the question of hundreds. It was a great mistake, when the hundreds system was originally adopted, that some principle was not laid down upon which a decision should be arrived at. Was it because they were rather late to do so, that they should shut their eyes to the necessity that had arisen for adopting such a course? No one could read the journals of the Otago Provincial Council, and not see how absolutely necessary it was that there should be some principle laid down to guide the decisions with respect to proclaiming hundreds. There had been talking against time, division after division, attempts to count out, and all those acts of generalship for which the honorable member for Hampden was so famous, and of which no one denied but that the honorable member was an unrivalled master. Those matters had provoked much scandal in the Provincial Council of Otago, and the present Bill and the Bill of last session would relieve that Legislature from continuing anything of that kind. As to the compromise, he (Mr. Vogel) confessed that he was not well aware of its nature, and he was not at all sure that the present Bill was an improvement on the Act of last session. It was most desirable that the system of free selection should be carried out in the Province of Otago, and he would take that opportunity of saying that it was not to the interest of the Province to hold out the idea to every person coming to or living in the Province, that the only profitable occupation to be pursued was that of cattle and sheep breeding. That was the popular idea on which the hundreds system depended. He considered that cattle breeding upon the very small scale on which it was possible under the system of hundreds, was rather a demoralizing pursuit than otherwise. He did not say that the hundreds system was not an excellent one in the early days of the Province, when there were small farmers struggling with many difficulties, and when sheep and cattle breeding offered enormous inducements. But the time had gone by when there was any great profit arising from the pursuit of the grazier. It did not yield large returns upon the investment of capital. It was a great fallacy to hold out, that all would become rich who followed the pursuit of the grazier on a small scale. The time had come when all those who aspired to be farmers should have an opportunity afforded them of obtaining such land as they might require. Experience had shown that they might go through the colonies and seek in vain for any land system that was anything like as successful as the system of free selection which obtained in Canterbury. That principle was based on sound logic. There, a man who wished to settle could obtain such land as he required, at a reasonable price. When they came

to adopt other systems of land laws, they more or less set up a class of middlemen between the absolute settlers and the state which disposed of the land. He was quite certain that those who had the interest of Otago at heart would endeavour to assimilate the land laws of that Province to those of Canterbury. Then, as to the question of making the upset price £2 an acre, he was quite certain that it would be for the interest of Otago to fix the price of land at such a figure as would be sufficient to discourage speculation, and be of such a nature as to hold out inducements to parties who really wished to settle upon the land. The first cost of land was not of much moment to those who required it for absolute settlement. In raising the upset price, they would be improving the position of those who had purchased land hitherto, and who had struggled against adverse circumstances, and would save many persons from insolvency who had borrowed heavily on their estates. If, in adding to the price, they conferred a benefit upon those who had long resided in the Province, so much the better. They did no injustice to those who were to come after them, but, on the contrary, would preserve to them an estate which would become of increased value, and which would be beneficially occupied by settlers brought there through the system of colonization which the Government would carry out under the Bill recently adopted by the House for that purpose. He apologized to the House for having trespassed so much upon its time, but this was a question in which he had taken a great interest, and it was one with which he had been, to a certain extent, mixed up in the past.

Mr. BRADSHAW had listened with a good deal of attention to the remarks of the honorable member with reference to the action taken by himself and the honorable member for Hampden, in 1866. He recollected very well that he (Mr. Bradshaw) and the honorable member for Hampden had opposed the proposal made at that time—that of free selection, by purchase, of land throughout the Province of Otago, at the upset price of 30s. per acre. If that proposal had become law at that time, he believed the agricultural land of Otago would have fallen into the hands of a few people, as well as the whole of the auriferous land of the country. They had condemned that system, and would do so again. That system of selling land had been condemned in Victoria, which was now attracting so large a population, not only from Europe but from the neighbouring colonies. The system of selection and occupation before purchase, which was introduced in the colony of Victoria in 1865, extended over three millions of acres of land, and worked so well that another law had been brought in extending it throughout the whole territory. According to the law in Victoria, they were allowed to select 320 acres of land over the whole territory, on condition that they would improve it, upon lease extending over three years, at the upset price of £1 an acre, with a rental of 2s. an acre. At the expiration of the three years it could be purchased at 14s. an acre, and if not

purchased the lease was extended to ten years. The Colonial Treasurer would permit the whole territory of Otago, auriferous and otherwise, to be sold and to fall into the hands of speculators: the whole of the land to fall into the hands of a few private individuals. The honorable member had referred to the Canterbury system as one of the best. He (Mr. Bradshaw) would like to know what the Canterbury system had done,—what amount of population that system had brought into Canterbury. The population had been brought in solely by aid from the Government of that Province. He would read portions of an article written in the *London Times*, not only respecting the Canterbury system, but the system in the colony of Victoria. The article was written in 1866,—

"The first cause of disturbance was that which Mr. Mill regards with so much favour, the compulsory rise in the upset price of land to one pound an acre, which was imposed on the colonies against their will by the Imperial Parliament. This ill-advised measure greatly checked the purchase of land and the settlement of the country. But it had a still worse collateral result, which nobody seems to have foreseen. It entirely altered the position of the tenant. He could not be dispossessed unless the land he occupied was bought over his head for at least a pound an acre, which in the case of inferior land gave a tenure equal to fee-simple. . . . This ill-advised step encountered an energetic resistance, and was ultimately defeated, as all attempts to tax by prerogative are sure, sooner or later, to be in any genuine British community. . . . The tenants of the Crown, or 'squatters,' had been the objects of oppression. A genuine feeling of sympathy was excited on their behalf, and they employed this feeling with much dexterity, not only to protect themselves from the Government, but to strengthen their own tenure at the expense of their fellow-colonists. Like the Irish tenants at will, they raised a cry for fixity of tenure and compensation for improvements, and the home Government, at their solicitation, interfered once more, and gave them leases of their lands varying in duration according to the nearness or remoteness of the site. Thus did the home Government, by these three ill-advised measures—the compulsory raising of the minimum price of Crown land, in obedience to what is now the thoroughly exploded theory of Wakefield, the attempt to raise a revenue by prerogative, and the granting of leases to tenants who had no occasion for improvements, and, therefore, no intention of making them—raise up a most formidable interest, and place the most serious obstacles in the way of good government in Australia. The mismanagement of the Colonial Office raised up in Australia an oligarchy of the most irritating and dangerous kind, possessing neither the distinction of worth, of wealth, nor of public service, and yet endowed with public land, in many places valuable, well situated, and suitable for colonization, and this in a lavish profusion which no conceivable public services could possibly merit. It is not too much to say that the democratic reaction which

has swept everything before it is mainly owing to the inexcusable error of calling into existence a body so peculiarly calculated to excite the envy and irritate the passion for equality always so powerful in new communities. . . . There is very little doubt that had the Australian colonies been independent republics instead of dependencies of England, blood would have flowed in a quarrel thus wantonly created. We are happy to find that the question seems at length likely to be settled. . . . The tenant enters into possession of land, for every acre of which he is to pay to the Government two shillings, with a right of purchase, at the end of three or of seven years, at the rate of one pound per acre. In other words, Government sells its lands for a deferred price of one pound per acre, charging in the meanwhile 10 per cent. on the purchase money. Had it been at auction, the 'squatters' might have protected themselves by outbidding the poorer settlers; but under the new law the occupancy is determined, not by auction, but by lot. Of course, the weak point of the system is not in its inception but in its working. The state may find difficulty in obtaining its rent in bad, or perhaps even in good, years, and there will probably be agitators to declare that this rent is a tax, and a tax which the poor ought not to be compelled to pay. For our own part, so far from agreeing with the Wakefield system, which considers the main object of a land policy to centre in the high price which can be obtained for it, we hold the contrary opinion, and consider the terms on which the industrious poor are settled on the land to be of comparatively small consequence compared with the importance of placing them on the land at all events. No country is safe unless its institutions are under the custody of men who have a permanent interest in its prosperity,—of a class not living on wages, but bound to the soil by the ties of family and property. It is this essential condition of good government which a mistaken policy has so long withheld from Australia. We learn with much satisfaction, from a very competent judge on the spot, that this condition is at last about to be obtained, and we look forward, as the result, to a great improvement of the constituency, and consequently of the government, of the colony of Victoria."

The Act had been in operation for five years, and now extended over the whole territory. It would be unwise, when they were about to bring in a large number of people, to lock up the land, or give one-fourth of the agricultural land in the Province of Otago to a very few people. From a return laid on the table, he found that there were only 800,000 acres of agricultural land in the Province of Otago. The present Bill would give 300 squatters 640 acres each, or one-fourth of the whole of the land—that land which ought to be kept for the people coming into the country for settlement. As fast as they brought the people into the country, and as fast as they reduced the rate of wages, they would go away from the Colony—they would go to the place where they would receive the best wages.

and observance of the covenants contained or implied in such lease, he shall be entitled to a Crown grant of such land: Provided always that no greater quantity of land than three hundred and twenty acres shall be so leased to any one person.

Question put, "That the clause be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	23
					—
Majority against	...	...	...	...	10
					—

AYES.

Mr. Barff,	Mr. Macfarlane,
Mr. Bradshaw,	Mr. O'Neill,
Mr. Brown,	Mr. Swan,
Mr. Dignan,	Mr. W. Wood.
Mr. Fitzherbert,	<i>Tellers.</i>
Mr. W. H. Harrison,	Mr. Kelly,
Mr. Macandrew,	Mr. Mervyn.

NOES.

Mr. Armstrong,	Mr. McLean,
Mr. Birch,	Mr. Munro,
Mr. Carrington,	Mr. Ormond,
Mr. Driver,	Mr. O'Rorke,
Mr. Gillies,	Mr. Studholme,
Mr. Hall,	Mr. Tancred,
Mr. Jollie,	Mr. Taylor,
Captain Kenny,	Mr. Vogel,
Mr. Kynnersley,	Mr. Williamson.
Mr. Main,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Webster,
Mr. McIndoe,	Mr. J. C. Wilson, C.B.

PAIRS.

For,	Against,
Mr. Howorth,	Mr. Ludlam.

The motion was consequently negatived.

Mr. MERVYN moved the following new clauses, which were negatived:—

It shall be lawful for the Superintendent from time to time to make regulations prescribing the mode in which application may be made for leases of land under this Act; the quantity of land, not exceeding three hundred and twenty acres, which shall and may be granted in a lease in any particular block; the amount of deposit to be paid by any applicant therefor and by any objector thereto; the terms and conditions upon which such leases may be held, occupied, assigned, transferred, forfeited, and cancelled; the amount of rent payable therefor, and the times and places of payment; the conditions upon and the manner in which entry to search for gold, or for any metal or mineral, upon any land so leased may be authorized.

Any person being the holder of a lease of land under this Act, if the said land be not proved to be auriferous, and upon the due performance and observance of the covenants contained or implied in such lease, shall, after a period of three years, be entitled to purchase the fee-simple of such land by paying the difference between the amount already paid and the upset price of said land.

If at any time during the currency of any lease

granted under this Act, the annual rental payable in respect thereof shall be in arrear for six months, the amount of rent due shall be doubled; and if within three months after notice of such raising of the rent, and if the same shall not be paid, such lease shall be *ipso facto* void, and shall be sold by auction as soon as practicable after such default: Provided always that, in the case of the death of the lessee, the six months may be extended by the board to eighteen months.

No sale of any lease under section of this Act, shall take place unless the time and place of sale shall have been approved by the board, and notified by the commissioner in the *Gazette* of the Province, and some newspaper or newspapers circulating in the Province, not less than three months before such sale.

It shall be lawful for the holders and occupiers of land under the agricultural lease system in the Province of Otago, on payment of all rents due, to come under the operation of this Act.

Mr. MERVYN moved the following new clause:—

On and after the coming into operation of this Act, there shall not be less than two hundred and fifty thousand acres of land thrown open under clause three of this Act; and there shall constantly be kept open for selection, in such areas as may be determined upon, at least two hundred and fifty thousand acres of such land as may be suitable for agricultural purposes.

Question put, "That the clause be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	20
					—
Majority against	...	...	...	...	14
					—

AYES.

Mr. Barff,	<i>Tellers.</i>
Mr. Bradshaw,	Mr. Brown,
Mr. McGillivray,	Mr. Mervyn.
Mr. W. Wood.	

NOES.

Mr. Birch,	Mr. Ormond,
Mr. Carrington,	Mr. O'Rorke,
Mr. Hall,	Mr. Studholme,
Mr. Jollie,	Mr. Tancred,
Captain Kenny,	Mr. Vogel,
Mr. Kynnersley,	Mr. Webster,
Mr. Macfarlane,	Mr. J. C. Wilson, C.B.
Mr. Main,	
Mr. McIndoe,	<i>Tellers.</i>
Mr. McLean,	Mr. Driver,
Mr. O'Neill,	Mr. Macandrew.

PAIRS.

For,	Against,
Mr. Howorth,	Mr. Ludlam.

The motion was consequently negatived.

Mr. BRADSHAW moved the following new clause:—

All lands alienated in the Province of Otago, after the passing of this Act, shall be liable to be resumed for mining purposes by Her Majesty, on

paying full compensation to the lessee or purchaser in fee simple thereof, for the value, other than auriferous, of the lands and improvements so resumed, such value, in case of disagreements, to be ascertained by arbitration. The terms, conditions, and events upon which such lands may be resumed, and the manner in which arbitration shall be conducted, shall be determined by regulations, in such manner as the Governor shall from time to time direct.

Question put, "That the clause be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	15

Majority against	...	...	...	...	7
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AYES.

Mr. Barff,	Mr. O'Neill.
Mr. Brown,	
Mr. Haughton,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Bradshaw,
Mr. Mervyn,	Mr. Swan.

NOES.

Mr. Birch,	Mr. McLean,
Mr. Driver,	Mr. Tancred,
Mr. Jollie,	Mr. Vogel,
Mr. Kynnersley,	Mr. Webster,
Mr. Macandrew,	Mr. J. C. Wilson, C.B.
Mr. Main,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Carrington,
Mr. McIndoe,	Mr. Studholme.

PAIRS.

For,	Against,
Mr. Howorth,	Mr. Ludlam.

The motion was consequently negatived.

The Bill was reported with amendments, which were agreed to.

On the motion that the Bill be read a third time,

Mr. BRADSHAW moved that it be read a third time that day six months.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	10

Majority for	...	...	...	...	16
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AYES.

Mr. Armstrong,	Mr. O'Neill,
Mr. Birch,	Mr. Ormond,
Mr. Carrington,	Mr. O'Rorke,
Mr. Hall,	Mr. Studholme,
Mr. H. S. Harrison,	Mr. Swan,
Mr. Kelly,	Mr. Taylor,
Mr. Kerr,	Mr. Vogel,
Mr. Kynnersley,	Mr. Webster,
Mr. Macandrew,	Mr. Williamson,
Mr. Macfarlane,	Mr. W. Wood.
Mr. Main,	
Mr. McGillivray,	<i>Tellers.</i>
Mr. McIndoe,	Mr. Driver,
Mr. McLean,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Barff,	Mr. Rolleston,
Mr. Brown,	Mr. Tancred.
Mr. W. H. Harrison,	
Mr. Haughton,	<i>Tellers.</i>
Captain Kenny,	Mr. Bradshaw,
Mr. Moorhouse,	Mr. Mervyn.

PAIRS.

For,	Against,
Mr. Ludlam,	Mr. Howorth.

The Bill was then read a third time, and passed.

The House adjourned at a quarter past ten o'clock p.m.

LEGISLATIVE COUNCIL.

Tuesday, 23rd August, 1870.

Wellington Gas Bill—Nelson and Cobden Railway Bill—Public Petitions Committee—Curators of Intestate Estates Bill—First Readings—Payment of Common Jurors Bill—Kereopa and Kapa—Waste Lands Committee—House Committee—Census Bill—Gold Duty Bill—New Zealand Government Insurance and Annuities Bill—Government Insurance and Annuities Extension Bill—Immigration and Public Works Bill—Bills Committed—Married Women's Property Protection Bill—Wairarapa Town Lands Management Bill—Mining Companies Limited Liability Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

The Hon. Mr. JOHNSTON, in moving the second reading of this Bill, said that the citizens of Wellington having recognized the necessity for lighting the town with gas, a company, incorporated under "The Joint Stock Companies Act, 1860," had been formed, and the Legislature was now requested to give to that company the powers which would enable them to carry out the objects they had in view. The objects of the Bill were that power should be given to the company to break up the streets, lay down the necessary pipes, connect the pipes with the houses of their customers, and to do all that was required to be done to facilitate the carrying out of the undertaking. The company did not seek to obtain a monopoly either in regard to time or in respect to the price of gas; they merely wished to secure the facilities necessary to the carrying on of a gas company. He did not consider it was necessary that he should advance reasons showing why the town of Wellington should be lit with gas, because he thought every honorable member would recognize the desirability of its being done as soon as possible.

On the motion of the Hon. Major RICHMOND, C.B., the report of the Select Committee on Private Bills on this Bill, the petition of the applicants, and the report of the Public Petitions Committee, were read.

The Hon. Major RICHMOND, C.B., said he had thought it right to bring under the notice of the Council the proceedings which had taken

place in regard to this Bill. The examiner of private Bills reported to both Houses that the Standing Order applying to the Bill had not been complied with. A meeting of the Joint Committee on Private Bills was held, and they took into consideration the report of the examiner as well as the arguments of the agent for the Bill, and they came to a decision which was reported to both Houses. Having brought the matter under the notice of the Council, it would be for honorable members to say whether the Bill should be proceeded with.

The Hon. Mr. WATERHOUSE said he understood that the honorable gentleman did not propose an amendment, but simply stated the circumstances of the case, leaving any other honorable member to take what steps he might deem advisable.

The Hon. Major RICHMOND, C.B., said that, as he was Chairman of the Committee on Private Bills, he would rather not move in the matter.

The Hon. Mr. WATERHOUSE remarked that as it devolved upon some honorable member to initiate a discussion on the matter, he would say that he hoped no point of form which it was in the power of the Council to dispense with, would be allowed to stand in the way of the prosecution of a public work of so much importance as the erection of gas-works. Everybody must admit the importance of the speedy introduction of gas into Wellington, and it would be most unfortunate if the Council, by adhering to a mere form, deprived the citizens of this improvement for a period of twelve months longer. If there had been a departure from the Standing Orders, it had, no doubt, been a mere inadvertence on the part of the introducers of the Bill. The 36th Standing Order declared that thirty days' notice must be given to all proprietors of land within 300 yards of the site of any gas-works, but he thought it would be a straining of terms to say that pipes which were laid for conducting the gas from the manufactory should come under the same provision; they were simply pipes for conducting the gas after it had been manufactured. A work for the manufacture of gas was very different from pipes which were laid for conveying away the manufactured article. He could understand that, where it was proposed to erect works for the manufacture of gas, it might be desirable that notice should be given to all proprietors of houses within 300 yards of the works, because the works might be a public nuisance, or a source of danger to the occupants of those houses situated within 300 yards of such works; but no danger could arise from laying down pipes through the streets to a distance of 300 yards, and he thought that showed that in the interest of the public no such notice was necessary, and, therefore, no such notice could in the first instance have been intended. He hoped that the honorable gentleman (Mr. Johnston) would be allowed to proceed with the Bill, that the action of the other branch of the Legislature would be adopted by the Council, and that the citizens of Wellington would not be

prevented, until another year had lapsed, from enjoying the boon which was now sought to be conferred upon them. Although he cordially supported the Bill, he might say that it was open to the charge of not sufficiently protecting the interests of the public. In connection with all works of this character, both in the other colonies and in the mother country, it had been the practice to protect the public interest against the private company undertaking the particular work in question. It was perhaps not, as had been stated by the honorable gentleman who moved the second reading of the Bill, the avowed intention of the promoters to establish a monopoly, but the practical effect of introducing gasworks or waterworks was to establish something like a monopoly in favour of the promoters, as the difficulty in the way of introducing competition was so great that the original introducers practically did obtain a monopoly. If the charges were unreasonably high, it was not an unusual occurrence for some discussion to arise with reference to the promotion of competing companies. Under such circumstances, the action of the existing company was to reduce the rate for the supply of gas until the excitement had died away, and then return to the original arrangement. In the mother country there were two clauses in the Gas Works Consolidation Act, one of which rendered it compulsory that no dividend should be paid exceeding ten per cent., while the other clause provided that when the profits of the company were so great as to permit of a higher dividend being paid, there should be a corresponding reduction in the price of gas. In addition to this, there was a provision in most Bills limiting the price of gas to 5s. per 1000; and in the other Colonies a similar principle had been adopted. In the case of Victoria, the limit had been fixed at 20 or 25 per cent., and there was also a proviso that, when the profits would permit, there should be a proportionate reduction in the price of gas. In a Bill which was recently before the House there was no proviso as to a fixed limit; but, although an erroneous principle had been sanctioned by the Legislature, he hoped that they would determine to return to a more approved mode of conducting their business, and, in accordance with the practice adopted elsewhere, decide upon some limit of the character which he had mentioned. Although he supported the Bill, he should, when it was being considered in Committee, endeavour to introduce clauses similar to those which he had referred to, fixing a limit of 20 per cent., and also providing that, when higher profits were realized, there should be a corresponding reduction in the price of gas. He had no doubt the fact that such a step had not been taken before was simply owing to the matter having been overlooked, and to the probability that the attention of honorable members had not been directed to it, otherwise they would have seen that it would be to the interest of the public that such alterations should be effected.

The Hon. Mr. MANTELL said he had been informed that it would be in the power of the

municipal corporation of Wellington to give such powers as were stated to be asked for in this Bill, and, therefore, he thought it would be much better that the promoters of the measure should wait until the corporation was in existence. The honorable gentleman who moved the second reading of the Bill had stated that it was the desire of the citizens of Wellington that a gas company should be formed; he, however, thought the honorable gentleman ought to have stated that it was the desire of a small number of the citizens. He did not think that any serious delay would be caused in regard to the lighting of the city, by the promoters waiting to obtain the necessary powers from the city authorities. There was this remarkable feature in the Bill, that, although it was proposed that the gasometer itself should be within the limits of the city, there was no power sought to erect it. It would seem that there was some meaning in the company being obliged to ask the Legislature to give them powers which might interfere with the future powers of the corporation. No doubt the honorable gentleman who had charge of the Bill would be able to explain the matter.

The Hon. Mr. JOHNSTON said those gentlemen connected with the company had thought it better to apply to the Legislature for powers to enable them to proceed with the company, rather than wait for an undefined time, when there would be a corporation in the city of Wellington. The reason why they had applied to the Legislature was that a municipal corporation did not exist, and because it was difficult to say, with any degree of accuracy, when such corporation would exist. It had been remarked that, by the Bill, the company did not seek permission to erect a gasometer—if their works were a nuisance, they were open to be indicted—nor did they ask protection from the Legislature as against any company seeking to occupy the position which they sought to occupy. He might say, in reply to some remarks which had been made by the honorable gentleman (Mr. Waterhouse), that the company did not ask for any monopoly. It did not expect large profits, and the citizens who had embarked in the undertaking had not done it so much with a view to obtain profit as from a desire to supply the town with gas. In fact, the observations which the honorable gentleman (Mr. Waterhouse) had made would apply equally to any public company which it might be proposed to inaugurate. When banks had been incorporated, or when they had established branch establishments in New Zealand, no restrictive clause, providing that they should lower their rate of discount whenever their profits exceeded a certain remunerative rate, was introduced. It appeared to him that the remarks of the honorable gentleman would apply to the one case with as much force as they did to the other.

The Bill was read a second and third time, and passed.

NELSON AND COBDEN RAILWAY BILL.

The Hon. Major RICHMOND, C.B., brought

up the report of the Joint Committee on Private Bills upon the Nelson and Cobden Railway Bill.

PUBLIC PETITIONS COMMITTEE.

The Hon. Captain BAILLIE brought up the report of the Petitions Committee on the petition of John Landon and F. A. Whitaker.

CURATORS OF INTESTATE ESTATES BILL.

The Hon. Mr. SEWELL brought up the report of the managers appointed to draw up reasons in reference to the amendments made in this Bill, which was ordered to be considered next sitting day.

FIRST READINGS.

The Payments to Provinces Bill and the Hawke's Bay Renewal of Licenses Bill were received from the House of Representatives, read a first time, and the second readings fixed for next sitting day.

The Superintendents of Marlborough Election Bill and the Otago Hundreds Bill were received from the House of Representatives, read a first time, and the second reading fixed for Thursday.

PAYMENT OF COMMON JURORS BILL.

The Hon. the SPEAKER announced the following message from the House of Representatives:—

That they disagreed with the amendments made in the second clause of this Bill.

The message was ordered to be considered on Thursday.

KEREOPA AND KEPA.

The Hon. Dr. BUCHANAN asked the Hon. the Colonial Secretary, Whether it is true, as stated in the *Wanganui Chronicle*, that Kereopa, the cannibal savage, and Kepa, who carried Captain Lloyd's head, stuck on a pole, about the country, were walking at large in the streets of Wanganui about a week ago?

The Hon. Mr. GISBORNE said he would read the telegram which he had received from Mr. Buller on the subject. The telegram was as follows:—

"23rd August, 1870.

"Te Kepa te Panuku, a Ngarauru man, of Waitotara, was with the party that carried Captain Lloyd's head to Pipiriki. Matene Rangitaura was the chief of the party. Matene was killed at Moutoa in 1864. Kepa was wounded, and has been in the recent expeditions to Taupo and the East Coast, fighting on our side. He is now at Wangaehu. He had charge of Captain Lloyd's head at Parekama, in April, 1864, and refused to give it up to Wirihana, and he took part in the Hauhau incantations around the pole on which the head was fixed on the occasion. Captain Wirihana speaks positively to these facts. The head was afterwards recovered by Mr. Broughton, and buried as Captain Lloyd's head, but doubts have since arisen as to its identity. Kereopa te Waiora is also a Ngarauru. He was one of the party that killed Sergeant Menzies and mutilated the body. He accompanied

the recent expedition, and fought on our side. He is now at Wangaehu.—W. BULLER, R.M.

"Under Secretary, Wellington."

He would state that neither Te Kapa nor Kereopa had anything to do with the murder of Captain Lloyd, or with his decapitation; and, further, that this Kereopa was not the Kereopa who was concerned in the murder of Mr. Volkner, and to whom the honorable member probably alluded as the "cannibal savage."

WASTE LANDS COMMITTEE.

On the motion of the Hon. Captain BAILLIE, it was ordered, That the name of the Hon. Mr. Menzies be discharged from the Waste Lands Committee, and the name of the Hon. Mr. Bonar be added thereto.

HOUSE COMMITTEE.

The Hon. Dr. BUCHANAN, in moving the motion standing in his name, said that an inconvenience had arisen a few days ago from the difficulty of obtaining a quorum in a meeting of this Committee. The number of members of the other House on the Committee was five, of whom four were present. The number of honorable gentlemen of the Legislative Council was seven, of whom only one was present, besides himself. The duties of the Committee were humble and perhaps disagreeable, and on some occasions painful, but nevertheless they were necessary. He would suggest that if those duties were distasteful to honorable members, or too insignificant to be worthy of their attention, they would do well to have their names discharged, in order that other honorable gentlemen might be asked to serve in their stead, because, especially towards the end of the session, the House Committee had to audit certain accounts, and a great inconvenience had arisen owing to those accounts not having been examined and passed owing to the want of a quorum.

Motion made, and question proposed, "That the name of the Hon. Mr. O'Neill be removed from the House Committee, and that that of the Hon. Mr. H. Russell be substituted."—(*Hon. Dr. Buchanan.*)

The Hon. Mr. MANTELL desired to move, as an amendment, that the words "and the Hon. Mr. Mantell" be inserted after the name of the Hon. Mr. O'Neill. He took this step inasmuch as he had been unable to attend the meetings of the Committee.

The Hon. Dr. BUCHANAN thought that the Hon. Mr. Mantell had done quite right in suggesting that his name should be withdrawn from the Committee, under the circumstances which he had stated. He would accept the amendment, and would move on a future day that the name of another honorable member be substituted.

Amendment agreed to, and motion as amended agreed to.

CENSUS BILL.

The Hon. Mr. GISBORNE, in moving, That leave be given to bring in a Bill intitled "An Act to Amend the Census Act, 1858," and other

Acts amending the same, said that the object of the Bill was to enable the Government to alter the time at which the census should be taken for this year, if it were found necessary to do so. The census must by law be taken in December, but as the decennial census of Great Britain was to be taken in January, it would be well that the New Zealand census should be taken at the same time.

Leave was granted. The Bill was brought in, read a first time, and the second reading fixed for Thursday.

GOLD DUTY BILL.

On the order of the day being called on for the third reading of this Bill,

The Hon. Colonel WHITMORE, C.M.G., moved that the Bill be recommitted for the purpose of amending the third clause, in accordance with the notice which he had given, so that the duty upon all gold should be 2s. 6d. an ounce.

The Hon. Dr. BUCHANAN believed that the honorable and gallant gentleman had brought forward his amendments at the suggestion of the inspector of one of the banks. The manager of another bank had given him to understand that these amendments would give a monopoly to a particular bank, and, with the permission of the Council he would read a memorandum which had been placed in his hands by that gentleman:—

"The first amendment seems almost unnecessary, but it is unobjectionable, as it makes clear at what rate gold of exactly 20 carats is to be charged duty.

"The second amendment amounts to a new principle introduced into the Bill, and is unworkable, for it does not name the rate of duty at all. The new principle is that a fineness, instead of actual weight, is to form the basis on which duty is to be levied.

"The actual weight can be and is invariably checked by the customs as well as the captain of the vessel by which the bullion is to be shipped, and he signs bills of lading specifying the exact weight in ounces, pennyweights, and grains, for which weight his owners are thus made responsible. By the weight principle, Government thus gets the additional check of the captain.

"As to working under the second amendment, if carried. To reduce a number of bars of a variety of fineness is, to the initiated, a troublesome task, and to customs officials unacquainted with it would, until equally experienced, be a very slow and difficult operation; whereas the sliding scale adopted in the Bill will, with the actual weights of the bars they see weighed, and the assayer's declaration as to the fineness of each, make the matter for the customs as simple as it now is under the existing Act. The scale of reduction being based at 2s. 6d. on 20 carat gold, descends in the present Bill in exact proportion to the lower qualities, namely, at the rate 1½d. per carat.

"The declarations to be taken from assayers can, and no doubt will, be so framed by the customs authorities, under clauses 7 and 8, that the assayers will render themselves liable to the penalty of £100 should they attempt to reduce

the bullion by the introduction of alloy of any kind.

"On the other hand, exporters of gold would lose were they to attempt to do so, for the mints at Sydney and London treat every alloy in gold, even silver, as dross, and refuse to return or pay for it. Besides this, the introduction of alloy would involve the expense and trouble of melting and re-melting in the Colony, and the expense of extracting it again outside the Colony before the bullion is sold. Freight and melting charges are invariably paid by the ounce, consequently these charges would be increased by the introduction of alloy which must, of necessity, increase the weight exported.

"The second amendment should, therefore, be negatived, on the ground of the new principle introduced, and on account of the lateness of the session, because, if sent back, the Lower House may not have time to reconsider it, in which case the Upper House would, by burking this measure—which experienced authorities say meets the wants of the case—practically continue to tax gold of low qualities, such as at the Thames, 1s. to 1s. 3d. per ounce above what was ever contemplated by the Legislature when the duty was fixed at 2s. 6d."

He would only add that, as he understood the matter, the manager of a certain bank was in possession of a patent by which he could extract all the silver and other dross from the Thames gold, so that he only paid 2s. 6d. an ounce on pure gold, while the other banks paid that amount upon ordinary gold, which contained the silver and other dross in it, making a real difference of 3s. 9d. as against 2s. 6d. He was sorry, therefore, that he must oppose the motion for the recommittal of the Bill.

The Hon. Mr. WATERHOUSE said that it would perhaps be some satisfaction to honorable members if the Colonial Secretary were to express the views of the Government in reference to the proposed change. Considerable interest was felt in this measure, and there was a desire that there should be no alteration for fear that the passing of the measure during the present session might be thereby jeopardized. If, however, the alteration were made with the concurrence of the Government, there would be little likelihood of such a contingency arising, and the Bill would pass in the form desired by the Hon. Colonel Whitmore. It was very desirable that there should be some legislation on the subject during the present session, because the present law acted adversely to the interests of most of the banks and also of the miners. At the present time one bank, through having obtained a patent, had almost a monopoly of the gold produced in the Thames district, because it was able to extract the silver, and could therefore give a higher price than the other banks; at the same time, the miners received less than they would if the other banks were able to turn the gold to the same account as that bank. He thought that the amendment of the honorable member was an improvement, but he should be sorry to support it if it was likely to cause the Bill to lapse. It was proposed, in clause

3, that gold of the fineness of 20 carats and upwards should be charged 2s. 6d. per ounce. If the silver was extracted from the ore, the gold became quite pure, and was of the high quality of from 23½ to 23¾ carats. The bank which possessed the patent he had referred to would still have an advantage over the other banks to the extent of about 6d. an ounce. He believed that the Government did not contemplate making any alteration with a view to remedying this inequality, because, if the legislation were made to suit the miners at the Thames, and the duty were raised, difficulties would be thrown in the way of the miners in the Middle Island, where the gold was of very fine quality. He understood that that was the reason why the Government had decided upon retaining the first part of the clause, making the duty 2s. 6d. per ounce upon gold of the fineness of 20 carats and upwards. As it was impossible to make a perfect law upon the subject, it was not, perhaps, necessary to attach as much importance to the second section of the clause, provided those who were concerned were satisfied. He believed that there was a very great desire on the part of the banks, as well as the Provincial Government of Auckland, and those who were connected with the Thames, that the Bill should be passed in its present shape.

The Hon. Mr. GISBORNE said that he had intended to have reserved any remarks which he had to make until the Bill was reconsidered in Committee. It would be necessary to accept the first amendment, because there was really no duty imposed upon gold of the exact fineness of 20 carats, although there was upon gold above that standard. It seemed to him that the amendment of the Hon. Colonel Whitmore was more simple and quite as effective as the proposal in the Bill. It was really better in this respect, because they had been shown that there was a way of defrauding the revenue by putting in a small alloy of silver, so as to come under the lower rate. The amendment was really to the effect that 2s. 6d. should be paid upon all gold proved to be of the fineness of 20 carats. If the assayer, under the Bill, could show when the gold was of the fineness of 16 or 18 carats, he supposed that he would have no difficulty in showing that it was of the fineness of 20 carats. When 2s. 6d. was paid by every person upon gold of a certain standard, no monopoly was given to any bank. He thought the imposition of duty could be more fairly worked under the amendment than under the graduated scale of the Bill. He should like to hear the opinions of those honorable members who had had more experience upon the subject than he had. There was no doubt that, under the present law, a great advantage was gained by the Bank of New Zealand, but it was not an unfair advantage. That law imposed a certain duty upon gold. There was a considerable amount of alloy in the Thames gold. The Bank of New Zealand, at a great expense, had purchased a patent for the purpose of extracting the alloy, which happened to be silver, and of course it got the double benefit of getting rid of the alloy and selling the silver. This Bill was pro-

posed in the interests of the miner, in order that he might not be obliged to sell his gold, with a duty of 2s. 6d. per ounce, in its alloyed state, but that the duty should be 2s. 6d. upon the actual quantity of gold. The question was simply which was the best practical mode, for the sake of the revenue, of collecting the duty, and he thought that, in this respect, the amendment would answer very well. He did not think that the alteration would endanger the Bill, as it was a Government measure, and, besides, there would be plenty of time for the House of Representatives to consider whether it would adopt the amendment or not.

The Hon. Mr. WILLIAMSON thought that the Bill should be recommitted, because the amendments were of a very valuable character. The Hon. the Colonial Secretary had said a good deal of what he intended to have stated. The proposed amendment would have to be carried out with the assistance of an assayer, just as the Bill itself would require. The customs officers could not tell the fineness of a bar of gold any more than he could tell what quantity of gold there was in it of a certain fineness. If the assayer could tell that a bar of gold was 16 carats fine, he could also tell how many ounces of 20 carat gold were contained in the bar. It would not suit a person who had a bar of gold weighing 1,000 ounces, of 16 carats fine, to export it, and he remelted it, and, by adding alloy, reduced it to 14 carat gold, by which he would save about £12. Under this system, however, there would be no such opportunity afforded. It was not true that when gold went home to England, containing an alloy of silver or other metal, no allowance was made for that alloy. Indeed, the quantity of alloy was so great that it would be ridiculous not to make some allowance. The Thames gold contained about 30 per cent. of silver. His own opinion had been in favour of the miner being put in a better position, and he approved of a differential duty being charged upon gold.

The Hon. Mr. ROBINSON said that with respect to the advantage to the miners, there was a sliding scale in the Bill, so that the miner only paid duty according to the fineness of the gold. The amendment would fix fineness as the basis of taxation, and, as had been observed by his honorable friend Mr. Waterhouse, gold could be refined to the high quality of 23½ carats by extracting the silver, so that an advantage would be given to the proprietor of the patent which had been referred to. No allowance whatever was made for dross by either the Sydney mint or the London mint. When gold was sent home it was refined there, and if it contained 50 per cent. of silver no allowance was made; it was, therefore, very unlikely that any person would reduce the value of his gold when he would be at the loss of the silver, which would represent a greater sum than the duty.

The Hon. Mr. JOHNSTON said that he approved of the first amendment, but could not support the second, because he did not think it was an improvement, nor that it would be accepted in another place. The quality of the Thames gold

was from 13 to 16 carats, and the miner was paying something like 3s. 9d. an ounce export duty, which was unfairly heavy. It would be well, therefore, to introduce a graduated scale. The banks paid the miner according to the fineness of the gold. It was said that an advantage might be obtained by alloying the gold, but he found, by calculation, that such was not the case. He would read to the Council the calculation:—

“Duty on 100 oz. 16 carat gold, at 2s., £10; to reduce this to gold of 12 carat fineness would require one third additional weight of silver. Then, duty on 133½ oz. of 12 carat gold, at 1s. 3d., £8 6s. 8d.; cost of silver for alloy, at least 4s. per oz., £6 13s. 4d.; total, £15; showing a loss of £5 on the operation, irrespective of the time and labour wasted in the performance of it. Both the London and Sydney mints treat silver or other alloy in gold sent to them as dross, so that any silver introduced for the purpose of reducing the fineness would be lost.”

It would be better, in the interest of the miner, to leave the duty to be paid upon the standard at which the gold was found, not upon the highest standard to which it could be brought by refining.

The Hon. Mr. BONAR said that the honorable member had anticipated many of the remarks which he had intended to make. He was quite certain that the cost of alloying good gold would be far greater than any benefit which could be derived from the process. When the matter had been first alluded to by the Hon. Colonel Whitmore, he made inquiries on the subject, but the Hon. Mr. Johnston had explained very clearly to the Council what the cost would be. He could only say, in addition, that, besides the actual cost of the silver, there would be the expense of freight and melting upon the additional quantity. That of itself would come to as much as the difference in the duty. He thought there was only threepence difference between each fineness, as provided by the Act, and the cheapest rate of freight was about 1½d., while, by the Suez steamers, it was about 4½d. With respect to the remarks of the Hon. the Colonial Secretary, he would say that the simpler the method by which the duty was collected the better. He knew from his experience that the accounts were usually made up at the last moment before the sailing of the vessel, and there was very little time left for making elaborate calculations. He would prefer seeing all assays done away with, and a smaller rate imposed upon gold of an inferior quality. The best way would be to take the sworn assay, and then charge the duty upon the actual weight, by which means the officers of customs would have no difficulty in arriving at the amount of duty to be charged; otherwise, it would be a very difficult matter, and the customs officers would have to take the calculation handed them by the bank, which would be very undesirable. It was quite bad enough to have to trust to a sworn assayer, without having to depend upon him further as to the average fineness of the gold. He had no objection to the first amendment, but thought that the sliding scale should be retained.

The Hon. Mr. MILLER said that, from information which had been given to him, he had been led to believe that it was very difficult to reduce gold to the requisite standard of fineness, whereas it was quite clear that the matter was simplified in every possible way by the Bill as it stood. He could quite corroborate the statements of his honorable friend Mr. Johnston, but he was told that the difference was greater than the honorable member had stated. He should be glad if the honorable the mover would state whether his information was correct, and whether it would not be a troublesome and tedious operation to reduce the gold to the required standard.

The Hon. Colonel WHITMORE, C.M.G., did not propose to say much on the subject, as the proper time to do so would be in Committee, and he could hardly think, after what the Hon. the Colonial Secretary had stated, that there would be any difficulty in respect to clause 1. At present, exporters had to pay no duty at all for gold which was of a fineness of 20 carats. In reply to his honorable friend Mr. Miller, he had no objection to say that the difficulty was to discover the fineness, but as soon as that was established, a school-boy could tell how much 20 carat gold the bar contained.

Motion agreed to.

The Council then went into Committee on the Bill.

Clause 3.

The Hon. Colonel WHITMORE, C.M.G., moved that all words after "New Zealand," in the eleventh line, be struck out, with a view to substituting the following words:—"1. Gold of the fineness of twenty carats and upwards, two shillings and sixpence per ounce troy weight. 2. Gold of any lower fineness than twenty carats according to the declared number of ounces troy weight of the fineness of twenty carats contained therein."

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:

Ayes	...	...	...	...	16
Noes	...	...	...	...	15

Majority for	...	...	...	1
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AYES.

Mr. Bonar,	Mr. Lee,
Dr. Buchanan,	Mr. Miller,
Dr. Grace,	Mr. Pillans,
Mr. Gray,	Dr. Renwick,
Mr. Hawdon,	Mr. Robinson,
Mr. Holmes,	Mr. Stokes,
Mr. Johnston,	Mr. Waterhouse,
Colonel Kenny,	Mr. Wigley.

NOES.

Mr. Chamberlin,	Colonel Russell,
Captain Fraser,	Mr. H. R. Russell,
Mr. Gisborne,	Mr. Sewell,
Mr. Mantell,	Mr. Seymour,
Mr. McLean,	Mr. C. J. Taylor,
Mr. Nurse,	Colonel Whitmore,
Mr. Paterson,	Mr. Williamson.
Major Richardson,	

The amendment was therefore negatived.

Progress was made. The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

THIRD READINGS.

The Unincorporated Boards Suits Bill and the Sale for Non-payment of Rates Bill were read a third time, and passed.

NEW ZEALAND GOVERNMENT INSURANCE AND ANNUITIES BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that its object was to extend the facilities for effecting insurances. Under the present law there was no provision by which a person could assign his interest. That power would be given by this Bill, and also power to insure upon other persons' lives. It was also proposed by the Bill that the insurer should be protected in case of his bankruptcy, if the insurance had been effected two years before the bankruptcy took place. That would, he thought, provide against fraud, and would afford a great support for the wife and children of a bankrupt to look forward to in case of his death. That was a provision which was different from the rules generally regulating private insurance companies, because he believed that insurances effected with those companies could not be maintained in case of bankruptcy. The Government did not give bonuses or other advantages which were to be obtained from companies, and he did not think that it was anything unusual to ask that a person who insured his life with the Government might have that advantage. The Bill also enabled married women to dispose of the insurance for the benefit of their children by way of settlement. He had already laid before the Council a report from himself as Government Annuities Commissioner, up to 30th June. He was glad to be able to inform honorable members that, up to and since that date, the insurance system had been gradually progressing, as many persons had applied for insurances. Although the system had practically not been in force for more than four or five months, he had already had about 140 applications. Of course, they were not all accepted, as great caution was exercised to see that good lives only were taken, but very few had been refused. One reason why there had not been a greater extension was that he was still awaiting the receipt of tables from the actuaries in Sydney, under which persons would be able to insure, for the benefit of their children or relations, by paying a certain sum every year, which would be returned to them as an endowment after a certain number of years. He believed that such an extension would be attended with advantage.

The Hon. Mr. WATERHOUSE said that the Bill was really of a very important character, and he thought they should pause before they gave effect to it. It seemed to him that the Government was going beyond its functions, and that the Government of the Colony was being turned into a great trading corporation, with all the risks

attendant upon trading speculations. The object of the Government insurance, in the first instance, was to encourage persons who might not do so otherwise, to insure their lives for the benefit of their families, the Government being responsible that the sum insured should be eventually paid. It was never contemplated, however, in any Insurance Acts of the mother country, that facilities should be afforded for what were essentially gambling transactions in connection with lives, and which was part of the regular business of private companies. It was a very common practice for persons to insure, speculatively, the lives of others. The insurances effected upon the lives of Gladstone, Disraeli, and other eminent statesmen at home, were something astonishing, and the insurance offices in Great Britain had as many insurances of that kind as they cared to take. They were nothing but gambling transactions, and he thought that the Government was going beyond its proper functions. It was quite right up to the extent to which it had gone, but the step which was now proposed was in the wrong direction. He was not at all sure that it was wise to provide that the policies of insurance should not be subject to the law of bankruptcy. There was a market value connected with those policies, and the estates ordinarily realized upon them for the benefit of creditors. If a man insured his life beyond his own means, he did not see that it should be done at the expense of his creditors. In certain cases, such as marriage, or upon the birth of children, there would be an advantage, but he doubted the propriety of granting such a privilege where an insurance had been effected but had not been settled upon any one in case of the insurer's death. They had before them no less than two Bills, the one called the New Zealand Government Insurance and Annuities Bill, and the other, the New Zealand Government Insurance and Annuities Extension Bill, both referring to the same subject, and he thought it was very undesirable to pass two Bills upon one subject on the same day. He hoped that the Government would make the two into one, as it was exceedingly objectionable that the subjects for legislation should be thus indefinitely multiplied. He should not oppose the second reading of the Bill if the committal was to be postponed, but he would ask honorable members to consider whether it was not going beyond the functions of Government to take the step proposed.

The Hon. Mr. BONAR said that he could fully realize the objection made by the honorable member to the policy of a bankrupt being excepted from the operation of the bankruptcy law, to the injury of his creditors. It had been truly said by the honorable gentleman (Mr. Waterhouse) that every life policy, after about three years' premium had been paid upon it, acquired a certain value, and there would be nothing easier than for a person to insure his life for an extravagant amount, for an amount, in fact, beyond his means, and to deprive his creditors of the entire benefit of the money abstracted from their funds. He apprehended that if the desire of a man was to

make a *bond fide* settlement in favour of his wife and children in the event of death, he could make over his policy to trustees for their benefit; he was under the impression that in case of bankruptcy it could not be touched—the trustees would take care that he received no undue benefit from the proceeds of any policy held for the benefit of his wife and family; but, under the present regulations, a person would be enabled to derive a direct benefit from such a transaction. He felt that he had not devoted that attention to the Bill which he would have liked to have given to it; he did not see the Bill previous to the House meeting, and he must say that he would like to give it further consideration before he said much more about it. He did not say that he should oppose the second reading, but it was probable that alterations which would meet his views could be made.

The Hon. Mr. GISBORNE said he proposed that the Bill should pass its second reading, and that it should be committed on Thursday, when it could be considered clause by clause. He might state, however, that the Bill, with regard to the question of enabling persons to insure their lives, did not go beyond what could already be done in the case of private insurance companies; and he might also state, further, that a man could not legally insure a life in which he was not pecuniarily interested. He could insure his wife's life, but, with that exception, he could not insure in respect of a person in whom he was not pecuniarily interested; and, therefore, he could not understand the allusions of the honorable gentleman (Mr. Waterhouse) regarding the insurances which it was stated had been effected upon the life of Mr. Gladstone and other leading statesmen in England.

The Hon. Mr. WATERHOUSE asked if it was proposed to incorporate the two Bills.

The Hon. Mr. GISBORNE said there was an objection with regard to that proceeding. The two Bills were distinct from each other: one was to amend the laws relating to Government insurances in the Colony, and the other was to enable the old law having reference to Government insurances to be extended to the United Kingdom. That was a subject which would be discussed on different grounds; they might wish to extend it to other countries, or to repeal the law at some future time, and they could do that without affecting the law which related to insurances in New Zealand. There was no doubt that, some day, they would have to consolidate the law into one Act, but it would be advisable not to do so until they had more experience on the subject.

The Bill was read a second time, and ordered to be committed on Thursday.

GOVERNMENT INSURANCE AND ANNUITIES EXTENSION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said he intended to propose that the same course should be adopted in regard to it as had been taken respecting the previous Bill. The object of this Bill was to

enable the Government to effect insurances in the United Kingdom. It would be an advantage in that, amongst other things, it would enable those immigrants who were sent out to this Colony to effect insurances on their lives, and by that means to give security for the repayment of the passage money. The Government had met with considerable success in connection with the operation of the Insurance Act in this Colony, but, of course, if they extended its operations beyond the Colony, very careful supervision would have to be exercised. That was the object of this Bill, and that was the reason why it had been kept distinct from the other Bill. The former Bill amended the other Act in its details, but this Bill involved a new principle, and authorized the Government to enter into contracts for a certain amount in the United Kingdom.

The Hon. Mr. WATERHOUSE said that if the other Bill was objectionable this Bill appeared to be extremely so, and not only did he hope honorable members would oppose it, but he believed he should be compelled to move an amendment that the second reading should be taken that day six months. It appeared to be the intention of the Government that the Bill should facilitate immigration, but there was nothing in it which connected it with their scheme, or to show that that was the intention which the Government had in view. From remarks which had been made by the Hon. the Colonial Secretary, it appeared that, by the Bill, the Government would be enabled to go further and extend their operations to the mother country and elsewhere. That was a dangerous principle. They would become a trading corporation with a vengeance, if branch insurance companies were to be started in this way; they would never know what their liabilities really were, and probably they would not be satisfied that their agents were sufficiently strict in looking after the character of the lives which they insured. He moved, as an amendment, that the Bill be read a second time that day six months.

The Hon. Mr. HOLMES said he would second the amendment of his honorable friend Mr. Waterhouse. It would, in his opinion, be impolitic to establish branch offices in the manner indicated. The rate of interest at home was lower than it was here, and the profits on insurances would be proportionately low; in fact, it would not be to the advantage of the Government to enter into insurances in the mother country. In England there were insurance companies which had been in existence for many years, and they had millions of money at their disposal. Besides, the surveillance which could be exercised by the Government over a branch office in the mother country would not be sufficient. He knew something about the subject, and he was convinced that a great loss would be entailed by the Colony if the measure were past, and the risk of a large indebtedness would cause the public mind to entertain a feeling of great uncertainty as to the financial position of the Colony.

The Hon. Mr. BONAR said he felt that, if

the Bill were passed, they would be undertaking a responsibility of a very serious nature, as well as great risk. He should be sorry to throw obstacles in the way of anything that might tend to facilitate immigration, or in any way benefit the Colony, but he did think that, taking into consideration the little experience they had had of the working of the present system in the Colony, it would be wiser to defer the passage of such a Bill until next session. It would be advisable to wait until they had seen the result of the working of the Bill during another year before they took further action. As the honorable gentleman (Mr. Holmes) had stated, there existed in older countries great competition, and, when there was much competition, the danger of undue risks being accepted was greater. Having been connected with insurance offices, he could speak on the subject with some confidence, and there could be no doubt that, in a matter of this sort, the most careful control was necessary, otherwise they might incur responsibilities that would extend over a long series of years, and which would increase year by year. He would support the amendment of the honorable member (Mr. Waterhouse), but he must say that he should be much better pleased if the Government would withdraw the Bill and bring it forward next session.

The Hon. Mr. PATERSON said he would support the amendment. He did not agree with the proposal of the Government, to extend the operation of a system of this kind beyond the boundaries of the Colony, where it would be in great measure beyond their control. After the remarks which had been made by various honorable members, he thought it would be imprudent to take the step now proposed on behalf of the Government, with a view to the extension of this system of life insurance to a country where it was carried out in all its minutest details, and by people with whom the Government could not compete advantageously. He trusted that the Council would endeavour to suppress such a speculative spirit as this proposal manifested, and not allow the Bill to pass. Immigrants would have no difficulty in obtaining life assurances at home, and they would there obtain them with greater facility and on more favourable terms than could be offered to them by the Government. The system might hitherto have been successful here, but it was yet in its infancy, and had to be proved. There was no reason whatever why the Government should enter into such a speculation on account of immigrants, or any others, when they could obtain elsewhere all the advantages that the Government could offer them.

The Hon. Mr. WILLIAMSON said he did not think it would be advisable for the Government to go outside the Colony to establish insurance offices; such a step would be rather to the advantage of those companies who would be opposed to them, the interest being higher here than it was elsewhere. He would move the adjournment of the debate, in order that the Government might have an opportunity of taking the matter into consideration.

The Hon. Mr. McLEAN said he hoped the

Hon. the Colonial Secretary would act upon the suggestion thrown out, that the Bill should be withdrawn. He thought that, to say the least, it would be derogatory to the position of the Government if it decided to go forth into the world and compete with insurance companies, many of whom would do all that was proposed to be done in respect to the question of immigration. He trusted that the Government would consider its position and dignity. Not only would the matter be attended with great risks, but if the operation of the Bill were extended to one country they might go elsewhere, and the objections which had been urged could with equal fairness be taken to every country. The closer they confined the functions of the Government to the place where they were believed to be exercised properly, the better.

The Hon. Colonel RUSSELL said he did not pretend to understand a great deal about the subject, and therefore he would say nothing further than that the introduction of the Bill—seeing that it was likely to direct the attention of honorable members to the dangerous course of legislation they were about to enter upon—had given him great gratification. Judging from the sentiments which had been expressed on all sides, they might fairly say that the measure was a caution to them; and it seemed that it would be necessary to inquire whether there was nothing of a gambling or speculative character about another Bill which was likely to be brought before the Council that evening. Under the circumstances, he was glad that the Bill had been brought forward, because it would put honorable members on their guard. He regretted that many honorable members were absent, because, no doubt, it would have had a similar effect upon their minds. He might state that when he came to the meeting of the Council that day he found on the order paper four Bills which it was proposed to read a second time, none of which he saw until that afternoon. He simply desired to say that it was extremely dangerous that Bills should be brought before the Council for consideration in that hasty manner. Had not his honorable friend on his right entered his protest, the Bill might have passed without many honorable members knowing the nature of it. He had previously had occasion to make similar complaints; and he thought that no Bill, whether it was of more or less importance than that under consideration, should be thrust upon the attention of honorable members in such a hasty manner.

The Hon. Mr. GISBORNE said he could not see what was to have prevented honorable members seeing the Bill on Saturday or Monday, or even on Friday afternoon. He gave four days' notice before he asked that the second reading should be taken. If he had moved for leave one day to bring in a Bill, and asked that the second reading should be taken on the day following, complaints might have been justifiable; but, when he gave four days' notice, he did not think there was much reason to complain. He would be glad to avail himself of the adjournment, if it were carried, to consider, in conjunction with his

colleagues, the course they would pursue in regard to the Bill.

The Hon. Colonel KENNY said he presumed that the more objections there were raised the more desirous would the Government be to reconsider the Bill. He desired, therefore, to say that he should be compelled to vote for the amendment. From what had been stated, it appeared that they were proposing to legislate in anticipation of events contingent upon a Bill not yet before the Council, instead of legislating upon them as they arose.

The Hon. Mr. JOHNSTON said he had just read the Bill, and perhaps he had not read it with so much surprise as some other honorable members, because, when the Annuity and Life Insurance Bill was under discussion, he opposed it, and gave, as one of his reasons, that the area of New Zealand would not be large enough for success; and it did seem that the Government, seeing they desired to extend the operations of the Bill beyond New Zealand, were also of that opinion. It appeared to him, on reading the Bill, that that could be the only excuse for bringing such a measure before the Council. The proposal that the Government should step into the position of an insurance company in another part of the world, was so different to the action of any other Government, and so very novel, that he did not expect that it would have emanated from the present Government.

The Hon. Mr. ROBINSON understood that it was proposed to establish this institution in England in connection with the Immigration and Public Works Bill, so that we would be actually entering into competition with the very capitalists from whom we were about to borrow large sums of money.

Motion for adjournment agreed to.

IMMIGRATION AND PUBLIC WORKS BILL.

Mr. GISBORNE.—Sir, in moving the second reading of this Bill, I wish to ask the Council to allow me to refer to other features of the financial policy of the Government than those contained in the Bill itself. All those features have not yet come up in Bills to us, but they are, for the most part—in fact, I think, altogether—in the financial statement, a copy of which has been laid before the Council. It is necessary that I should ask permission of the Council to do this, because the parts of the financial policy of the Government are so, as it were, inter-dependent—they bear so intimate a relation one to the other—that it is almost impossible to consider one portion of that policy without also making reference to and considering other portions. In referring to this Bill, I will refer to the modified proposals of the Government on the subject which are contained in the Bill. I shall do so because they are in some respects different from the proposals contained in the financial statement, and I think that, to refer to the proposals as exactly contained in the Bill, will enable the Council better to understand them, and will also simplify my statement. I need hardly remind the Council that,

during the last two or three years, there has been, throughout both Islands of New Zealand, a state of industrial depression which is, no doubt, partly attributable to the unsatisfactory state of affairs in the North Island, and partly to other causes. Whatever be the cause, there is no doubt of the fact that New Zealand has been, for the last two or three years, in a state of stagnation, and she may be described to have been—

without life or motion,
Like a painted ship upon a painted ocean.

The policy of the Government has been framed with a view to extricate the whole Colony from that state of depression, to put an end to that stagnation, and to give to New Zealand a fresh opportunity to enter into a course of prosperity and wealth for which her now dormant resources eminently adapt her. There is no doubt that strengthening our power in the North Island is a special object of interest to both Islands, but the Government, in the policy they propose, do not intend to confine it merely to the North Island. They wish to extend to the inhabitants of the Middle Island similar facilities for securing the increase and development of their resources; for nothing can tend more to the disunion of the two Islands than that there should go abroad a feeling that one Island is being maintained and supported at the expense of the other. It is, therefore, with a view to encourage, not only the progress of the whole Colony, but also its unity, that the Government policy has been framed on the principle of providing means for terminating the depression which exists in both Islands, and of enabling each Island to go on and extend its operations in a career of future prosperity and wealth. Sir, I need hardly say to the Council that a very favourable opportunity of undertaking this new policy presents itself when, as has been the case, success has attended our warlike operations in this Island, and when the North Island presents, so far as regards its Native affairs, a scene of comparative quiet. In referring to these matters, I think it is only justice to say that the result is to some extent—indeed I may say to a great extent—attributable to the valour and energy shown by my honorable and gallant friend Colonel Whitmore, and to many of those who served under him. I have never been one who has detracted from the military abilities of that honorable and gallant gentleman. I differ from his political opinions: I regret that, as a military commander, he should have identified himself with the views of a political party; and I think that the conduct of the campaign, and the policy of those in power, were tending to a war of races; but I willingly admit that the present pacification on the West Coast is mainly attributable to the successes achieved by the troops under the command of the honorable and gallant gentleman, and that the reduction and dispersion of Te Kooti's band was much facilitated by his success on the East Coast at Ngatapa. Having made this short preface, I will now, before I refer to the Immigration and Public Works Bill, which I may describe as the centre-piece of the financial policy of the Govern-

ment, allude to the other measures contained in that policy which surround that centre-piece. These other features, Sir, are the capitation tax—provided for by the Payment to Provinces Bill—the payment to road boards, the readjustment of the tariff, and the defence loan. I will commence with the Payment to Provinces Bill. The object of that Bill is to put an end to the system of partnership which the Provinces and the General Government have in the customs revenue, and to substitute for the portion of that revenue given to the Provinces a capitation tax of £2 for the first year, to be diminished by 2s. per head for every year until it reaches a minimum of 30s. per head. In the Middle Island, where the Maoris are comparatively civilized, and are not numerous, it is proposed that they should be counted as part of the population on which the capitation tax should be paid. That cannot, of course, be done in the North Island; but to Hawke's Bay and Auckland it is proposed to make a special allowance of £3,000 each on account of the Native population. With regard to Westland, I would say that there is no doubt, under this arrangement, she will be a sufferer through the diminution of her present revenue. Whether that arises from her having received more than her due share of the customs duties, or from her population being mainly an adult population, and so contributing more to the revenue than has been the case in respect of the population of other districts, I am not prepared to say. It may be partly from one cause and partly from the other. But, Sir, it is impossible, in any general policy which we consider good for the whole Colony, to prevent some injury—some evil result from such policy, as in this case, occurring to one part of the Colony. We propose to remedy this misfortune to Westland as far as we can by providing, in the Payment to Provinces Bill, a special allowance of about £3,000 to the County, and, also, by placing on the Appropriation Act for this year a special gift to Westland of between £2,000 and £3,000. We likewise propose that the share of the railway fund which she would be entitled to under the Immigration and Public Works Bill should be applicable for other works of a public nature, as she does not want railways at present. I suppose that the advantages of the substitution of a capitation tax for the present system must be obvious. There are many Provinces, and especially that from which my honorable friend Mr. Seymour comes, which suffer injustice from the present system. They really do not receive the amount of customs revenue to which they are entitled. Many dutiable articles are entered and pay duty in other places, and the Provinces to which I allude only get their share of the revenue in respect of the customs duties which are paid within their boundaries, although they consume dutiable articles to a much greater extent, the revenue derived therefrom going to swell the revenue of other Provinces. The proposed alteration also obviates the complicated system of accounts which now exists; it enables the question of the reduction of taxation to be approached with greater freedom by the General

Assembly; and there is no doubt it will be a great incentive to each Province to add to its population, because, for every soul either born in or introduced into the Province, there will be so much revenue accruing to that Province. I do not think that the alteration in the present system is likely to meet with any strong opposition in the Council, and, therefore, I need not dwell further on its advantages. Another feature in our policy is the payment to outlying road boards of £50,000, to be distributed according to plans which, for the first year, are to be proposed by the Superintendent and approved by the Governor in Council; and, in future years, on plans to be submitted by Provincial Legislatures and approved by the General Assembly. The object of this proposition is also obvious. There have been, for very many years, complaints that the outlying districts have not been treated justly by the central provincial authorities. They have not received their share of the revenue, and the result has been that the roads in the outlying districts, so necessary for the prosperity of the settlers, have been neglected—not made, or not repaired. This £50,000 is proposed to be paid out of the colonial revenue, and to be divided among the outlying road boards according to the principle I have just described, and the advantage to the policy of the Government, as regards roads and railways, will be very great, inasmuch as these outlying roads will serve as feeders to the main roads and railways which it is proposed to construct. Another feature of the financial policy, which, although considered an open question, has been put in the financial statement as a part of the policy, is the readjustment of the tariff. That has been only formally approved by the House of Representative in a resolution, and has still to come on for discussion. I do not know how it will come out of that House, if it comes out at all; but I may say that the principle on which the readjustment is proposed is not, in the opinion of the Government, a violation of the principles of free trade. It is a readjustment of revenue duties on the principle that that readjustment should, as much as possible, encourage local industry. Another feature is, that the greater part of the provision for the maintenance of a defence force shall be provided by loan. What the Government propose is, that the provision should be made for the maintenance of a force for five years—that for the first year there should be £180,000 raised; for the second, £160,000; and for the three following years, £150,000 each. I may also state, although it was not originally proposed in the financial statement, that the Government have agreed that these sums should be appropriated, year by year, by the General Assembly; and, if fortune should be so favourable to us as to enable us to do without any portion of the money so raised, the surplus is to go towards the redemption of New Zealand bonds. The reason for this step is, that the expenditure on account of a defensive force, in a colony like New Zealand, is altogether an exceptional expenditure. It does not appear to the Government that such an ex-

penditure should be borne by the colonial revenue year by year. If you charge it to a loan you equalize the burden between the present time and posterity, and you also equalize the burden between the North and Middle Islands. There is no doubt that the Middle Island would have just reason to complain if so large an exceptional expenditure were to be defrayed out of its proportion of the revenue from year to year. If the annual revenue is relieved from this burden, and a loan, repayable in after times, should be raised to meet the charge, and the annual interest on that loan should be borne by each Island, the Middle Island will have much less reason than it has at present to complain of this exceptional expenditure for defence purposes relating solely to the North Island. It is obviously to the advantage of the Middle Island, as I believe it is also to the advantage of the North Island, that this large sum from year to year should be devoted to productive purposes instead of to defence; and until we can reasonably hope that Native disturbances are finally put an end to, the present population of the Colony should only bear the interest on these charges. The defence expenditure to be retained on the estimates will be for the defence office and store department, and the charges known as provincial charges on account of Militia and Volunteers. I think I have now gone through all the features of the financial policy except those which are contained in the Bill of which I am now proposing the second reading, and which are, I believe, by far the most important features of all. I will endeavour, as plainly and briefly as I can, to explain the provisions of this measure. The first part of the Bill relates to provision to be made for roads in the North Island. As we believed last year, so we believe this year, that the construction of those roads is an essential element in the pacification of this Island. We believe that the employment of the Natives on these roads will not only open up the country for strategical purposes but also for colonizing purposes. An essential element in the restoration and maintenance of peace in this Island, will be the employment of the Natives themselves for this purpose, as great power will thereby be given to restrain them from falling into evil habits or joining hostile tribes who may wish to attack the Europeans. It will at the same time open up the country, and also enable the settlers to form settlements in the interior, and if, unfortunately, we should again fall into war, it will greatly facilitate our defensive or aggressive operations, as the case may be. It is proposed that £400,000 should be raised for the purpose of making roads in the North Island, but no more than £100,000 should be spent by the Government in each year. I may say it is considered impracticable that this sum should be spent according to appropriation in advance by the General Assembly. It is impossible to say on what lines of roads this money might be most advantageously expended during the recess, as it might, on account of the variable state of Native feeling, be necessary to devote it to roads sometimes in one part of the country

and sometimes in another. It would be impossible to avail ourselves of favourable opportunities if the delay of waiting for appropriation by the General Assembly were necessary, and it has been agreed to by the House of Representatives that this sum should be placed in the hands of the Governor, year by year, to be spent in opening up lines of roads in the North Island, without insisting on appropriation in advance. That sum is no doubt exclusively appropriated for the North Island, but it is intended that an equivalent sum of £400,000 should be available for railways in the Middle Island. In both cases they are to be colonial charges. In the North Island it is not intended that the sum expended on roads should be charged to the Province in which they are made, and in the Middle Island the £400,000 for railways will form part of the two millions which are authorized to be raised for railway purposes, and it will be a colonial charge. And now, coming to railways, I will exactly explain what are the liabilities which it is proposed the Colony should undertake for the construction of railways—not throughout one Island but throughout both. The liability which it is proposed the Colony should undertake for this purpose may be roughly represented as ten millions. I do not mean to say that the Colony is to undertake a debt of ten millions of money; but it is to be apportioned in this way—it is proposed that authority should be given to raise two millions for money payments, and that two and a half million acres of land, which are valued at £1 an acre, should be set apart for the same purpose, thus making a total of four and a half millions. The balance of five and a half millions is divisible into two portions, the one in the shape of land payment and the other of guarantees. I do not mean to say that the latter amount is the interest guaranteed of so much money, but the capital which the guaranteed interest represents. Thus, if you pay 6 per cent. on £100,000, that would amount to £6,000 a year; but the £100,000 and not the £6,000 would be part of the liability. The interest is proposed to be paid out of provincial revenue, and care will have to be taken, when a guarantee is given, that the Province gives material security, in land or otherwise, for the payment of this interest. I would mention, with respect to these railways, that the charge on account of them is to be a provincial charge, that is to say, it will be charged against the Provinces in which the railways are made—always excepting the £400,000 to be given as an equivalent to the £400,000 to be expended on roads in the North Island. With respect to the incurring of these liabilities, I would also state, in order to avoid misapprehension, that, by the Bills in which particular railways are to be authorized to be constructed, power is left to the General Assembly to determine from time to time what lines of railway should be made, and, therefore, what liability should be incurred under this authority to raise ten millions. The period over which this expenditure may extend, and the objects for which the money may be spent from time to time, rest

altogether with the General Assembly, not under this Bill, but under other Bills which will have to be submitted to the Legislature before any line of railway can be constructed or any expenditure incurred. Thus, if there is any general scramble for railways, it rests with the General Assembly to determine what particular line shall be made. A special Bill in each case will have to be brought before both Houses, passed by them, and assented to by the Governor, before any liability under this head can be incurred. I say this, because I believe that a considerable amount of misapprehension has existed with regard to this subject.

The Hon. Mr. JOHNSTON.—The honorable gentleman has stated that Bills brought forward to authorize the expenditure of money for railways in any Province, will require to be passed by the Assembly. Does the honorable gentleman mean that the Bills may be introduced by the Government or by private members?

The Hon. Colonel KENNY.—There is another question which I should like to ask the honorable gentleman also, if not interrupting him. Just now he stated that certain charges would be made against the Provinces for railways upon secured interest. I can understand that that will be practicable in some cases, but not in others—as, for example, the Province of Auckland—what guarantee or material security could that Province give? I do not understand the bearing of the honorable gentleman's remarks on this point.

The Hon. Mr. GISBORNE.—In every case in which a railway is proposed to be constructed, the General Assembly will have carefully to consider whether the line proposed is requisite, whether the Province in which it is proposed to construct the line can bear the charge, and what guarantee is to be taken from that Province. Those are all matters for the General Assembly to consider in each case; what I want to show is this, that this Bill in no way authorizes any scramble for railways, but it authorizes some important measures for the promotion of colonization, and among others it authorizes the construction of railways under special Bills to be proposed to the General Assembly from time to time, and to be paid out of moneys raised under a Loan Bill which has not yet come before us. The object of this Bill is more as an indication to show, with regard to railways, what course is to be pursued with respect to their construction, than as giving any special authority for that construction. As I said before, this expenditure is to be a provincial charge, and it is on that account, as honorable gentlemen will see, that it is proposed that each of the Provinces authorized to construct a railway should be consulted—that it should give its opinions, that those opinions should be submitted to the General Assembly, and that the General Assembly should finally determine in the matter as it thinks fit. I may also say that, by this Bill, half the stamp duties after the present year are to be appropriated to assist in meeting the expenditure on account of railways. I would now only add, with regard to railways, that there have been, as no doubt honorable members have

read, statements as to the railways which it might be in the contemplation of the Government to propose to the Assembly this session. I may say that the subject is still under the consideration of the Cabinet, and no final decision has as yet been arrived at; but whatever decision is arrived at, the General Assembly will have ample opportunity to decide what should be done. Honorable members will see that clause 9 says:—

“The railways to be constructed under this Act shall be only such railways as shall from time to time be determined by the General Assembly as railways to be constructed hereunder out of such moneys authorized to be raised under the said Loan Act as the General Assembly shall from time to time appropriate for the purpose.”

The Hon. Mr. ROBINSON.—Would the honorable member inform the Council whether it is intended that the provincial authorities should initiate the surveys, or will the General Government do so?

The Hon. Mr. GISBORNE.—It is proposed that the survey should be undertaken by the General Government. In fact, I may take this opportunity of saying that, with regard to the railways as to the other public works, the responsibility of the Ministry of the day to the General Assembly will be immediate, will be certain, and will be absolute. No Ministry can make an excuse for any shortcomings on their part, by saying that a Provincial Government thought so-and-so, or took such-and-such action. The responsibility is direct to the General Assembly, and is immediate, certain, and absolute. As I said before, this is not the only money proposed to be raised for colonizing purposes. It is proposed, also, to raise two millions for objects which I will now specify. One of those objects is to expend £200,000 in the purchase of a landed estate for the North Island, to assist in the construction of railways and the introduction of immigrants; another, is the construction of roads in the North Island, to which £400,000 is devoted, as I have already explained; then there is £1,000,000 for immigration; water supply on gold fields, £300,000; telegraph extension, £60,000; and unappropriated, £40,000—making a total of £2,000,000. The landed estate, I would observe, is intended to be used in this way: in any Province, the Superintendent of which expresses a wish that action should be taken—for the purchase money would be a provincial charge—arrangements will be made for the purchase of land from the Natives and others, and this land can be handed over by the Governor to the provincial authorities, subject to two conditions, one for the repayment of the purchase money or any liabilities on account of that purchase, and the other that the proceeds of the land shall be devoted to the furtherance of immigration and railway construction. With regard to the confiscated lands, also, I would state that it is intended to hand over such portions as may safely be so dealt with to the provincial authorities on the same conditions as the purchased land, namely, that the liabilities on account of them shall be paid, and the proceeds devoted to immigration and railway purposes, under the

direction of the General Government. The clause providing for this arrangement has been omitted, but I will propose its introduction when we go into Committee. There must, also, in consequence of the recently passed Auckland Waste Lands Act, be a provision inserted in reference to that Province, that no such land handed over shall be disposed of gratuitously, or, if it is, it must be accounted for to the General Government at the rate of 10s. an acre. I have already explained the intentions of the Government with regard to roads, and need not repeat them here. Of the £1,000,000 for immigration, half is to be charged to the Colony and half to the Provinces, and the mode we propose for recovering this half is by charging 30s. a head on each immigrant until the amount of cost of the introduction of those immigrants is reimbursed. The settlement of the immigrants in the Province is to be managed by the provincial authorities, and I will, before I conclude, shortly allude to the question of the Province having a voice in the matter. Any one having any experience of immigration must know it would be impossible for the General Government to introduce immigrants and settle them in a Province without having the co-operation of the authorities of that Province. My honorable colleague Mr. Fox and Mr. Whitaker were members of a Government who introduced immigrants into Auckland as a General Government scheme, and the result was failure. After a time they endeavoured to get the Province to assist them, but it was too late, and the result was most unsatisfactory. It must be remembered, also, that the cost of introducing immigrants may be paid for in land, and it is not necessary that it should be paid by money directly. Co-operative settlements might be made, separately and in conjunction with railways. There is no doubt that railways and immigration will generally go hand-in-hand—in fact, they will mutually assist each other, and are to be looked on as the right arm and left arm of the body politic. Sometimes the construction of a railway will enable immigrants to be introduced at little expense, and sometimes the introduction of immigrants will enable a railway to be constructed at little expense. Next comes the £300,000 for water supply to gold fields. I am not practically cognizant of the importance of these works on gold fields, but no doubt many honorable members of the Council know their value. I am not speaking of a supply of water for drinking and other such purposes—although I believe it is an essential requirement in that respect on the Thames gold field; but it will be most useful in aiding to develop the resources of the gold fields, as I believe much gold now lies undeveloped from the want of a proper system of waterworks. This is to be a provincial charge, and the appropriation of that money is limited to the rate of not more than £100,000 per annum, the arrangement of the mode of expenditure to be adjusted between the provincial authorities and the General Government.

The Hon. Captain FRASER.—How is it to be borne?

The Hon. Mr. GISBORNE.—It will be a provincial charge. The provincial authorities will make some proposal, and it will rest with the General Government to decide whether it agrees with those proposals or not, and if the proposal is carried into effect, the whole will be charged to the Province in which the works are erected. Then, as to telegraph extension, £60,000; that sum is proposed to be expended in extending the telegraph in various directions. In the interior of the North Island it is obvious that such extension would be most useful, and, I doubt not, honorable members will admit that telegraph extension is a most potent civilizer and colonizer of the country. You may take the three stages, roads first, railways next, and telegraph third; and these three concurrently do more than any instruments which the human mind can devise for the settlement of the country. This leaves a balance of £40,000, which is unappropriated, and that will make altogether, in cash payments, amounts represented by guarantees for railways and land, a liability of £12,000,000. Of course, with regard to railways, it can only be raised and spent as the General Assembly may from time to time authorize and predetermine.

The Hon. Mr. MILLER.—Is there any Loan Bill for defence purposes?

The Hon. Mr. GISBORNE.—Yes, that will be a special Loan Bill by itself. As I said before, the Provinces are consulted with regard to these other objects, as it is only equitable that those who are charged should be consulted with regard to the manner in which the money is to be expended, but the General Government is solely responsible. I say it would be madness to undertake public works and immigration without reference to the provincial authorities, and I hope that, in the discussion of this Bill, we shall avoid any discussion of provincial institutions, because such a discussion would only serve to distract us from the practical work we have before us, and will induce us to go into party controversial matters, which I think can tend to no useful issue.

The Hon. Mr. MILLER.—To avoid all mistakes, would the honorable member inform the Council whether, if the Imperial guarantee is given to a million loan, that loan will form part of the four millions.

The Hon. Mr. GISBORNE.—I am obliged to the honorable member for reminding me of that subject. I may state that we have, as yet, only seen the draft Bill as it is proposed to Parliament, and we do not know in what shape it will come out; but if we avail ourselves of that guarantee, as we propose to do if the conditions are not inconsistent with this policy, that loan will form part of the four million loan, and not be an addition to it. I would only add, with regard to the Provinces, that provincial institutions already exist, that they have for many years—in fact, hitherto—conducted all the work of colonization, and if we are now going to supersede them to some extent in that mission, and are, perhaps, thus hastening the day of their extinction, it is not for us to cast the first stone

at those who have preceded us in this noble work. We ought rather to be grateful for what they have done, and to consider ourselves fellow-workers in the same cause. You may abolish provincial institutions, but cannot unite the component parts of the Colony and govern it merely by Statute. You must, for some years yet to come, have some political local bodies representing the different interests and requirements which characterize the different districts in the Colony, and any constitutional violence towards them will only produce a violent reaction. Perhaps honorable members will recollect the fable of the wind and the sun, which competed with each other to compel the traveller to relinquish his cloak. The wind blew its coldest blast, but the traveller only more closely gathered that cloak around him, and it was only when the sun poured upon him its fervid rays that he was glad to relax his hold and drop his cloak. I would give one other illustration, if honorable members would permit me. If we see a half opened bud of some plant, we do not rudely tear off the calyx and try to force open the petals in order to see the bud in full bloom. No, we nourish that plant, and dig and water the soil, and in due natural course the bud will burst into blossom, and the flower will bloom in all its maturity of perfection. I say these illustrations point a practical moral in the government of the Colony of New Zealand. Colonize the country, and the political distinctions which now divide district from district will melt away and disappear as morning mists before the light and warmth of the rising sun. If you do not do so—if you pursue a contrary course—if you try to set yourselves in violent opposition to these institutions, you will only stereotype them and their evils for many years. Sir, I have stated what liabilities the Colony incurs under this Immigration and Public Works Bill and under the Defence Loan Bill, and I would now recapitulate some of the items of those liabilities. Under this Immigration and Public Works Bill we may incur a liability of four millions of pounds as money payments, but of course we do not incur it at once, as it can be spread over any period of years which the General Assembly desires. We can also incur liability over any such period of years by the alienation of 2,500,000 acres of land, and also a further liability of land and guarantee—taking capital as the sum represented by such guarantee—to the amount of £5,500,000 under the Defence Loan Bill, the whole liability at the end of five years would be £790,000. That is the full extent of our liability, and it may be spread, as I have stated, over any period of years. Say that it is spread over the next ten years. Is it to be supposed that New Zealand cannot bear such a liability, when the whole amount, except the defence loan, to be raised is to be spent, not upon war, but upon reproductive works, like immigration and the public works which I have mentioned? These public works may be stated to be railways, immigration, telegraph extension, and waterworks upon gold fields. I do not think that they are of a very risky

character. We know that railways open the country, and that, when they are supplied, they almost create a demand which justifies their construction. With respect to waterworks upon gold fields, there is no doubt they will, in many cases, greatly stimulate the production of gold. I need hardly say that telegraph extension is in every sense a reproductive work. Anything which facilitates and cheapens communication between man and man is eminently a reproductive work. Immigration, also, is unquestionably a reproductive work. Every immigrant whom we can bring into the Colony—looking at the question in its lowest light—represents so much of revenue-producing power. But when we think of the importance of increasing our population, we must consider that immigration is the most essential of all our requirements. I said just now that the liability might be spread over the next ten years; let us look at what we have done during the last ten years. We have had most serious difficulties to contend with; we have had war; we have had commercial depression; we have had a loan of three millions of money expended, I might almost say to a great extent wasted, in war purposes; and yet, what has been our progress in the face of all these adverse circumstances? I will read a tabular statement, showing the position of the Colony in 1860, as compared with its position in 1869-70:—

	1860.	£	s.	d.
Imports	...	1,548,333	0	0
Exports	...	588,953	0	0
Ordinary Revenue	...	233,107	4	9
Territorial Revenue	...	215,760	3	5
Total Ordinary and Territorial Revenue		448,867	8	2
Public Debt in December	...	306,000	0	0
Provincial Debt, inclusive of £340,000 allocated out of loan of 1856	...	538,000	0	0
Total Debt	...	844,000	0	0
Population, exclusive of Military, 79,625.				
	1869.	£	s.	d.
Imports	...	4,976,126	0	0
Exports	...	4,224,860	0	0
	1869-70.	£	s.	d.
Ordinary Revenue (actual)	...	1,048,175	0	7
Territorial Revenue	...	362,735	2	10
Total Ordinary and Territorial Revenue		1,410,910	3	5
Colonial Debt Funded, exclusive of Consolidated Debt provincially charged	...	3,819,866	0	0
Colonial Debt, Floating	...	528,000	0	0
Total Colonial Debt	...	4,347,866	0	0
Provincial Debts, including Consolidated Debt provincially charged	...	3,208,350	0	0
Total Debt	...	7,556,216	0	0
Population estimated, 250,000.				

If that has been the progress during the last decade of years, without any systematic immigration or construction of public works—in the face of the adverse circumstances to which I have referred, such as the war, and the expenditure of about three millions of money upon unproductive

works connected with that war—I say that, with the era of peace which, in my opinion, is now opening before us, with the money which is to be raised for the purpose of being expended only upon reproductive works, such as immigration, railways, and roads, and with the population which we already have, I think it is not too sanguine a view, and that it does not savour of the gambling spirit to which my honorable friend Colonel Russell alluded in the early part of the evening, to say that the progress of New Zealand, under these favourable circumstances and with these happy auspices, will be infinitely greater during the next ten years: the liability which you incur will be proportionately diminished to the extent of the population which you introduce into the Colony; and the more you can open up the country when you introduce population, the more will that population colonize the interior, and induce other people to follow them without any expense being incurred by the Colony for their introduction. Sir, I have very imperfectly, and, I am afraid, at undue length, endeavoured to explain the financial policy of the Government upon these very important subjects. If I had been merely introducing this Bill as affecting the ordinary interests of the people in ordinary times, I should have felt naturally afraid of my inability to do it justice, but, when I recollect how inseparably this measure is connected with Native affairs, how materially it affects those Native affairs, the state of which we have had just reason to deplore for so many years, and which has cost the Colony so much blood and treasure, I feel infinitely more afraid lest my feeble advocacy of the measure should cause you to underrate its critical importance. Sir, the alternative of peace or war in this Island is still, as it were, trembling in the balance; do not throw your sword into the scale of war; do not, I entreat you, reject a measure which, at least, affords a reasonable prospect of restoring—not by the force of arms, but by the progress of settlement—order and tranquillity throughout the North Island; a prospect of achieving a bloodless conquest of peace, and of rendering the recurrence of any serious Native insurrection impossible. But, Sir, the advantages of this measure are not exclusively confined to Native affairs. If this Bill becomes law, you will be able to fulfil the highest functions pertaining to this Legislature, namely, those of colonization; and you will, in the reverse of the old adage, be able to unite and thus rule New Zealand; you will create, not a caricature of federation, powerless for external good, and the focus of internal discord, but the reality of a united and, therefore, a great and vigorous nation.

On the motion of the Hon. Colonel WHITMORE, C.M.G., the debate was adjourned until next sitting day.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Post Office Bill (No. 2), the Marlborough Sale of Reserves Bill, and the Hawke's Bay and

Marlborough Rivers Bill, were reported with amendments, and the third readings fixed for next sitting day.

MARRIED WOMEN'S PROPERTY PROTECTION BILL.

The Council went into Committee upon this Bill.

Clause 3.

Amendment proposed by the Hon. Mr. WATERHOUSE, fixing the allowance at 10s. a week.

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	10
					—
Majority for	...	...	...	...	7
					—

AYES.

Captain Baillie,	Dr. Renwick,
Mr. Bonar,	Major Richardson,
Dr. Buchanan,	Mr. Sewell,
Captain Fraser,	Mr. Seymour,
Mr. Gisborne,	Mr. Stokes,
Mr. Hawdon,	Mr. C. J. Taylor,
Colonel Kenny,	Colonel Whitmore,
Mr. McLean,	Mr. Williamson.
Mr. Paterson,	

NOES.

Mr. Chamberlin,	Mr. Nurse,
Mr. Holmes,	Mr. Pillans,
Mr. Johnston,	Mr. Robinson,
Mr. Lee,	Mr. H. R. Russell,
Mr. Miller,	Mr. Waterhouse.

The amendment was consequently negatived.

The Bill was reported to the Council with amendments, and the third reading fixed for next sitting day.

WAIRARAPA TOWN LANDS MANAGEMENT BILL.

The order of the day for the further consideration of this Bill was discharged from the order paper.

The Hon. Mr. JOHNSTON moved that the Hon. Mr. Sewell, the Hon. Mr. Waterhouse, the Hon. Mr. Stokes, the Hon. Mr. Lee, and the Mover, be appointed a Select Committee to take the Bill into consideration.

Motion agreed to.

MINING COMPANIES LIMITED LIABILITY BILL.

The Hon. Mr. SEWELL said he could not recommend the Council to accept the reasons assigned by the House of Representatives for disagreeing to the amendments proposed by the Council. With regard to reasons one, two, and three, he did not intend to make any remarks, because honorable members would be able to form their own opinions as to how far they would accept and how far they would decline to agree to those reasons. He would pass on to reason No. 4, and direct the attention of the Council to what he considered was a material point in the

Bill, for which, he might remark, he had before explained his reasons for not holding himself in any way responsible. It appeared that, through the action of a resident magistrate or justices of the peace, any company, no matter what the amount of its liabilities were, might be wound up, provided its liabilities were declared not to exceed £300; contributions were to be levied on the different shareholders based on that calculation; and then it is suggested as the intention of the Bill, that after calls made under the provisions of the Bill, the claims of all creditors which might remain unsatisfied were to be excluded, even although the liability of the shareholders might not be exhausted. Shareholders who, subject to a limit on their individual liability, might have become legally liable for the full amount of the debts of the company, might thus defeat the claims of outside creditors. He could not conceive that such was the intention of the Council. He observed, however, that such was the construction put by the House of Representatives upon one of the amendments made by the Council, which was in these terms:—"The amendment made in section 9 will virtually prevent any further call, but by limiting the enforcement to be 'against all persons believed to be solvent,' the object sought will be better attained." The supposition was that the call to be made under section 9 would exhaust all claim on the shareholders, and end all means of reaching them, so as to provide for unsatisfied debts. He did not accede to the view taken by the House of Representatives that such was the effect, as he was sure it was not the intention, of the clause. So long as there remained debts, and so long as the liabilities of the shareholders were not exhausted, so long ought the liability be kept open. He would recommend that the Council insist upon its amendments.

The Hon. Mr. WATERHOUSE said that whatever might be the defects of this Bill, it was, at all events, a great improvement upon the existing law, and he was sure that, on that ground alone, honorable members would receive with regret the announcement of the failure of the measure. The Bill had been brought in because persons connected with these companies—bubble companies, he feared, many of them might be properly called—had abused their position; they had sued persons whom they chose to select to be sued, and, in many cases, they had passed over their friends in order to sue other persons residing at a distance: in this way the existing law worked unequally and to some extent with extreme oppression. The fact that this measure would tend to equalize the law—although it might not be a perfect measure—was a sufficient reason why it should be favourably received; and, fearing that if the Council insisted upon its amendments the Bill would be jeopardized, he would move an amendment that the Council do not insist upon its amendments.

The Hon. Mr. TAYLOR said he felt it his duty to support the amendment of the honorable member (Mr. Waterhouse). He thought the Hon. the Minister of Justice had taken far too serious a view of the amendments in the Bill; they were

not of that importance which the honorable gentleman seemed to think; in fact, the honorable gentleman had admitted that, as far as the three first were concerned, such was the case. He could not speak with confidence regarding the view which the honorable gentleman had taken in regard to the fourth amendment, but, as none of them were of much importance, he did not think the Council should insist upon its amendments. He believed that, if it did insist upon them, it would have the effect of throwing out the measure, and that, considering all the trouble which had been taken, was very undesirable.

The Hon. Major RICHMOND, C.B., said that perhaps the best thing they could do would be to reply to the objections, and, if necessary, they could afterwards ask for a conference.

Amendment agreed to.

The Council adjourned at twenty minutes past eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 23rd August, 1870.

Nelson College Bill—Gold Fields Committee—Kaiaipoi Native School—Government Buildings—Harbour Boards Bill—Immigration and Public Works Loan Bill—Submarine Electric Telegraph Bill—Timaru and Gladstone Board of Works Bill—Real Property Bill—Unincorporated Boards Suits Bills—Messages from the Legislative Council—Postal Service to San Francisco.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

NELSON COLLEGE BILL.

Mr. O'RORKE brought up the report of the Joint Committee on the Nelson College Bill, to the effect that it should be a public Bill, which was ordered to lie on the table.

On the motion of Mr. CURTIS, it was ordered that the Bill be committed next sitting day.

GOLD FIELDS COMMITTEE.

Mr. MAIN brought up the interim report of the Gold Fields Committee, and moved that it be printed. He wished to call the attention of the House to the fact that the Gold Fields Committee were divided in opinion as to the precise nature of the duty relegated to them. By the order of reference, the Committee were to consider Bills and petitions affecting gold fields, and report upon the provisions or principles which all such Bills or petitions might contain. Among the petitions submitted to the Committee was one presented from the residents of Mount Benger. Many of the Committee considered that this petition affected the administration of the waste lands of the Crown, and, as such, ought to have been considered by the Waste Lands Committee; but the Waste Lands Committee appeared to think that, inasmuch as the petition had emanated from settlers on a gold field, the Gold Fields Committee was the proper tribunal to consider that and other cognate

petitions. The Gold Fields Committee had no desire to shirk their duties in respect of such petitions. They thought that, probably, the petitioners had a grievance, and they were anxious that it should be remedied; but they were desirous to know the opinion of the House as to the duties which they had to perform. The whole difficulty was occasioned by the Gold Fields Act of 1866, which contained agricultural leasing regulations, whereby miners and other settlers on gold fields were enabled to take up land for settlement. These leases were granted, not for mining purposes, but for cultivation. There were three or four other similar petitions, praying that the rentals for agricultural leases should go towards the payment of the purchase money of the land, and the Committee considered that such subjects more properly belonged to the Waste Lands Committee.

The SPEAKER said that when any Committee was in doubt as to the exact duties which had been remitted to it, and desired instructions from the House, he should imagine the House would, without delay, instruct the Committee. The practical course to adopt, under the circumstances, would be for the members of the Committee, who knew best where the instructions were defective, and the direction in which they required further instruction, to draw out something of the nature of the instructions they required to enable them to discharge their duty satisfactorily, and submit it to the House for its approval, after which the Committee might have a more complete order of reference from the House.

Mr. MAIN, with the leave of the House, withdrew the motion for printing the report, and moved, That it be an instruction to the Gold Fields Committee that all petitions relative to agricultural leases on gold fields are to be referred to the Gold Fields Committee.

Mr. SWAN would like to have the opinion of the Colonial Treasurer on the subject. When the honorable member proposed the appointment of this Committee, he (Mr. Swan) certainly understood that the questions to be referred to it were those affecting gold fields, miners, and mining interests alone. He did not consider that the Gold Fields Committee was to be made a sort of second edition of the Waste Lands Committee. He would not say that the Committee was incapable of giving a correct judgment on the questions involved in the petitions referred to, but a large number of the Committee had declined to consider them on the above grounds. He should like to know whether the Colonial Treasurer had considered that the Gold Fields Committee had the power to discuss questions relating to that portion of the waste lands of the Crown which were administered under the Gold Fields Act.

Mr. VOGEL said that those who had anything to do with carrying out the Gold Fields Act, and the Waste Lands Act of Otago, could not fail to be aware of the great difficulty existing with respect to agricultural land on gold fields, in determining where it began and where it

ended. In the proposed consolidation of the gold fields measures, it might be desirable to take out the clauses of the Gold Fields Act relating to agricultural land and embody them in the Waste Lands Act, or they might be put into a separate Act. With regard to the question raised, there was only one course to be adopted. In common courtesy to those two Committees, where there was any doubt as to the one to which a petition should be referred, let it be remitted first to one and then to the other, and let each deal with those portions which seemed to be within the scope of its duty, and report to the House upon them. While the provisions of the two Acts were so mixed up as at present, that would be the only course to adopt in regard to a large number of petitions which really belonged as much to the one Committee as to the other.

Mr. CRACROFT WILSON, C.B., was opposed to petitions which involved an alteration in the principles and regulations governing the waste lands of the Crown being referred to the Gold Fields Committee. If that were the object of the motion he should vote against it, as he considered that such petitions ought to go before the Waste Lands Committee.

Mr. KYNNEERSLEY said that, as a member of the Gold Fields Committee, he objected to the Committee dealing with the petition from the residents of Mount Benger, on the ground that it was a matter solely affecting the leasing of the waste lands of the Crown, and had nothing to do with miners or mining matters or the administration of the Gold Fields Act. The petition involved a very important principle, as to whether the rent should be taken as part payment of the land. It also raised the question of free selection and other land systems. It was never intended that those important questions, regarding the dealing with the waste lands of the Crown, should be considered by the Gold Fields Committee.

Mr. DRIVER could confirm what had been stated by the last speaker. Among other things, the petition alluded to prayed that "The Otago Hundreds Regulations Act, 1869," should be placed under the operation of the Gold Fields Act. He did not think it was competent for the Gold Fields Committee to deal with the petition.

Mr. MAIN, in reply, said he had simply moved the motion to obtain an expression of opinion from the House. If the House negatived the motion, the Gold Fields Committee would not take such petitions into consideration, but if the House affirmed the motion, the Committee would gladly consider any petitions affecting the settlement of the gold fields.

Motion negatived.

KAIAPOI NATIVE SCHOOL.

Mr. CRACROFT WILSON, C.B., on behalf of Mr. ROLLESTON, asked the Native Minister, What course the Government propose to take with regard to the re-building of the Native school at Kaiapoi?

Mr. McLEAN replied that the Native school at Kaiapoi had been burnt down. The only step

which had been taken to get a new site for a building was to communicate with the Bishop of Christchurch to obtain his permission to have four acres of land in a reserve originally set apart for religious and educational purposes placed under trust. The Bishop of Christchurch had complied with the request, and when the Bill which he (Mr. McLean) intended to introduce this session was passed, the Government would be in a position to give the usual assistance to that school which was given in other similar cases under the Native Schools Act.

GOVERNMENT BUILDINGS.

Mr. STAFFORD brought up the report of the Joint Committee on Government Buildings, which was read, and ordered to lie on the table.

HARBOUR BOARDS BILL.

The House went into Committee on this Bill.

Clause 3.—Governor in Council empowered to make regulations for constitution of harbour boards.

Mr. VOGEL moved that the words "Governor in Council" be struck out, with the view of inserting the words "Superintendent and Provincial Council of any Province."

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	31
Majority against ...					13

AYES.

Mr. Armstrong,	Mr. Stafford,
Mr. Barff,	Mr. Stevens,
Mr. Bradshaw,	Mr. Tancred,
Mr. Collins,	Mr. Webster,
Mr. Driver,	Mr. Wells,
Mr. Edwards,	Mr. J. C. Wilson, C.B.

Tellers.

Mr. Hall,
Mr. Kynnersley.

NOES.

Mr. Birch,	Mr. McIndoe,
Mr. Brandon,	Mr. McLean,
Mr. Bunny,	Mr. Mete Kingi,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. O'Rorke,
Mr. Curtis,	Mr. Peacock,
Mr. Dignan,	Mr. Rolleston,
Mr. Eyes,	Mr. Studholme,
Mr. Fox,	Mr. Tareha,
Mr. H. S. Harrison,	Mr. Taylor,
Colonel Haultain,	Mr. Vogel,
Mr. Kelly,	Mr. Williamson,
Mr. Kerr,	Mr. W. Wood.

Tellers.

Mr. Gillies,	Mr. Macandrew.
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The amendment was consequently carried.

The Bill was reported to the House with amendments, which were ordered to be considered on Thursday next.

IMMIGRATION AND PUBLIC WORKS
LOAN BILL.

On the motion of Mr. VOGEL, the resolution reported from Committee of Ways and Means was read a second time, and, on the motion that it be agreed to,

Mr. STAFFORD said he did not know whether the Bill which was sought to be introduced was exactly the same as the draft Bill which was originally appended to the financial statement. If it were, he should like to call attention to one or two points which had been raised by the recent correspondence of the New Zealand Commissioners, which had been laid on the table a day or two ago. He noticed, in that correspondence, that in the draft Bill which was proposed to be passed, and which they had a right to assume had, by that time, been passed by the Parliament of the United Kingdom, there was a clause (No. 3) which distinctly provided that,—

3. The Treasury shall not give any guarantee under this Act, unless and until provision has been made, either before or after the passing of this Act, by an Act of the Legislature of New Zealand, or otherwise to the satisfaction of the Treasury,—

- (1.) For raising the said loan, and appropriating the same to the purposes mentioned in this Act:
- (2.) For charging the consolidated fund of New Zealand with the payment of the principal and interest of the said loan immediately after the charges on that fund existing at the time of the passing of this Act:
- (3.) For payment by the Government of New Zealand of a sinking fund, at the rate of _____ per centum per annum on the entire amount of the said loan, or so much as is raised for the time being, commencing at the date at which the whole of such loan is raised, or at the expiration of ten years from the passing of this Act (whichever date first happens), and for charging the consolidated fund of New Zealand with the payment of such sinking fund, immediately after the principal and interest of the said loan:
- (4.) For charging the consolidated fund of New Zealand with any sum issued out of the consolidated fund of the United Kingdom under this Act, with interest thereon at the rate of five per centum per annum, immediately after the sinking fund of the said loan:
- (5.) For rendering to the Governor, for transmission to the Treasury, an annual abstract of the accounts of the expenditure of the money raised by means of the said loan under such heads as the Treasury from time to time desire:
- (6.) For remitting to the Treasury the annual sums for the sinking fund by equal half-yearly payments, and for the investment and accumulation thereof, under their direction, in the names of four trustees

nominated from time to time, two by the Treasury and two by the Government of New Zealand."

Again, clause 5 of the Imperial Act said:—

"Every Act passed by the Legislature of New Zealand which in any way impairs the priority of the charge upon the consolidated fund of New Zealand created by that Legislature of the said loan and the interest and sinking fund thereof, and the sums paid out of the consolidated fund of the United Kingdom and the interest thereon, shall, so far only as it impairs such priority, be void, unless such Act contain a suspending clause providing that such Act shall not come into operation until Her Majesty's pleasure has been publicly signified in New Zealand."

It would be seen that the Bill which was now sought to be introduced, if it were identical with the Bill which was originally appended to the financial statement, did impair the priority which was intended to be given by the Imperial Act, namely, that the guaranteed million should be a first charge on the revenues of the Colony next after the charges existing when the Imperial Act was passed, and, consequently, that advantage could not be taken of the proposed guarantee unless the Legislature of New Zealand passed an Act distinctly recognizing that guarantee, and making the provisions required in the subsections of section 3 of the Imperial Act. Now, he thought that was a good opportunity of asking the Government what course they proposed to take with regard to that million loan—whether they proposed to accept it with those liabilities and conditions; and, if so, how they were going to avoid the condition of not impairing the priority of the guaranteed million, which the four million loan proposed to be authorized to be raised would impair, unless there was a special provision in the Four Million Loan Act that any liabilities created by it should be a subsequent charge to those created by the Guarantee Act of the Imperial Parliament.

Mr. VOGEL did not know whether he was to take the remarks of the honorable member as indicative of a desire to see effect given to the draft Act which had been sent down; because, if so, the honorable member had failed to call attention to one of the most peculiar provisions of that Act, which limited the power of expenditure to a certain amount annually, and still made the whole of the million loan a prior charge upon the revenue to any amount which might be authorized afterwards. In other words, any money authorized by the Assembly to be borrowed within the next five years would have to be made a subsequent charge upon the Colony, as compared with money which would be borrowed during the five years to make up the instalments of the million. This, however, was only a formal resolution, and upon the second reading of the Bill the Government would come down with a full explanation as to the course it was deemed desirable to take with respect to the guarantee. He trusted that the honorable member would not press for an earlier statement.

Leave was granted. The Bill was brought in,

read a first time, ordered to be printed, and the second reading fixed for Thursday.

SUBMARINE ELECTRIC TELEGRAPH BILL.

Mr. VOGEL, in moving the second reading of this Bill, stated that it was based upon the recommendations of a Select Committee, to the effect that it was desirable that Great Britain should arrange with the colonies interested, and with which the line might be connected, that they should bear a proportionate share of the original cost and maintenance of the line and of the redemption money, and that Great Britain should borrow the money to manufacture the necessary cable. That, in the opinion of the Committee, was the best plan upon which a system of telegraphic communication between England and the colonies could be carried out. It might, however, be desirable to accept the offer of Mr. Henley, or some such offer, which was, to construct the line on condition of receiving a monopoly for a term of years. Such a proposal had been embodied in the Bill before them. There were provisional proposals as regarded the New South Wales and Queensland Governments, but it was obvious that if the line were constructed according to the terms of Mr. Henley's proposal, it would be more favourable than the proposal to make terms with either of those Governments, and power was asked to enter into such an arrangement. He wished to point out, in order that the Government might not be charged with a failure in the case, that it was very doubtful whether they would be able to get a contractor willing to make such an arrangement under this Act. The company sent out Mr. Henley's offer and said they would also send out another from a French company by the following mail, but nothing more had been heard about it. He believed that the speculative mania in reference to submarine electric cables, which some time ago existed in Europe, had subsided, and that there would be great difficulty in getting the proposed line taken up. That was his opinion, partly based upon a private letter which had been received by the last mail, and from which it appeared that the shares in the company which had arranged for the construction of a cable by the western route to South Australia, were in great disfavour; in fact, that people were giving £1 per share to get rid of shares upon which they had paid £3. He did not, however, vouch for that statement as a positive fact. It was certain that shares in some of those companies were in great disfavour, and that there would not be the same readiness to take up the contract for the proposed line that there might have been six months ago. Nevertheless, no harm could be done by passing the Bill, and allowing the Government to use those powers which the Bill conferred. He took the opportunity of stating that he believed that the cable communication by the western route to South Australia would prove a failure, because they would not be able to maintain the line in the desert through which it would have to pass. If they were to have a line to

Australia, it would have to be a deep sea line to South Australia, or it would have to come down the continent through the Queensland colony.

Mr. HALL said that the Colonial Treasurer was quite correct in stating that the Bill was based upon the recommendation of the Select Committee, of which he (Mr. Hall) was a member. But, so far as his memory served him, he thought the Bill went beyond the recommendation of that Committee. Clause 6 of the Bill enabled the Government of the Colony to enter into an arrangement with the Imperial Government for the construction and completion of a line of telegraphic communication between Great Britain, the Australian colonies, and New Zealand; and it then went on to bind the Government of the Colony of New Zealand, and the revenues of the Colony, in such manner as might be necessary for the construction and maintenance of the line. Now, he did not recollect the Committee recommending the House to give the Government power to bind the revenues of the Colony, without the further sanction of the Legislature, to an unlimited extent, for the purpose of maintaining telegraphic communication.

Mr. VOGEL.—Read the proviso that follows.

Mr. HALL.—“Provided always that the Colony of New Zealand shall not, under any such arrangement, be bound to contribute any part of the funds to be expended in the construction of such line, or be liable otherwise than to the payment of a proportionate annual sum, to be applied in and towards the annual interest upon, and redemption money of, the cost of construction.” That came to precisely the same thing. It went beyond the recommendation of the Select Committee, and he thought it was going beyond the limit the House should go without further information.

Mr. STAFFORD agreed with the remarks of the honorable member for Heathcote in respect to the Bill before the House. It was a Bill repeating what had become a very vicious practice in that Legislature, namely, the giving power to the Government to expend indefinite sums of money for a series of years without annual appropriation by the Legislature. In a short time there would be no necessity for asking the House of Representatives to meet to make pecuniary provision for the government of the country for each year, inasmuch as, owing to indefinite appropriations made previously, the expenditure would be placed beyond the power of the House. The Imperial Parliament sat eight months in the year, and the heads of parties and the members generally were in constant communication with each other, and yet the Imperial Government would never think of asking such powers from the Imperial Parliament. No form of words was so usual in Bills introduced into the Parliament of the United Kingdom than those used in reference to contracts for works, “to be paid for out of sums voted by Parliament. Here, where the Parliament only sat for some three months, and where there was but little means of concert amongst the members of the Legislature, they were asked to give up the whole of their powers to

whoever might, for the time being, constitute the Government. He protested against so vicious a system, which was an infringement upon the powers of Parliament under the Constitution Act, and one which the Imperial Government would not ask the House of Commons to authorize. He objected to the Bill on the ground that it proposed to authorize the expenditure of indefinite sums of public money in an unconstitutional manner. He protested against it on the ground that it was interfering with the proper functions of the House of Representatives. He quite agreed with the remark of the honorable member for Heathcote, and he was glad that the Select Committee had shown a due recognition of the functions of Parliament, by forbearing to make any such proposal as that contained in the Bill. No one valued the extension of the electric telegraph cable more than he did, but there was such a thing as considering whether it might not be desirable to postpone an object which was merely for the convenience of a small section of the community. They should consider whether a small portion of those who paid the taxes should have an expensive means of communication established at the cost of the many. In other words, it was sought to tax the whole bulk of the community so that a small section of it might be able to use the telegraph at a cost which the country might not be able to afford. For two reasons, therefore, he opposed the Bill: firstly, on the constitutional ground that it involved an infringement of the privileges of the House; and, secondly, because he could not approve of giving such unlimited powers of charging the public revenues for a submarine cable as were proposed in clause 6. He could not, for those reasons, give his assent to the Bill in its present shape.

Mr. BUNNY would oppose the payment of one shilling out of the revenue of the Colony for a submarine telegraph cable to this country. The Bill before the House went exactly in the direction in which, for some time, New Zealand had been going, namely, neglecting to open up the internal communications of the Colony itself, and expending vast sums of money outside the Colony; whereas, if the money were spent in making roads within the Colony it would result in benefit to all of them. In the present case, the expenditure would be only for the benefit of a few. The cost of the cable which united the two Islands was, he believed, £30,000. Now they were going to lay a cable which would be 1,200 miles in length, and which would cost they did not know how much. They were asked to allow the Government to charge the revenues to the extent of over, probably, £300,000. He would certainly oppose the Bill. They were going too fast in spending money on steam and telegraphic communication.

An Hon. MEMBER.—And railroads to the Wairarapa.

Mr. BUNNY.—An honorable member says, "and railroads." That was the direction in which they should spend the money of the Colony. The opening up of the Wairarapa by

means of a railway would be a work of the greatest benefit to the country. They were told that the Colonial Treasurer was acting very cautiously in the outlay of the money proposed to be expended, but at the same time they were asked, in the Bill before them, to expend no less a sum than over £300,000. He would oppose the Bill most strenuously, and would move, as an amendment, that it be read that day six months.

Mr. PEACOCK seconded the amendment. He agreed with the honorable member for Wairarapa that it would be more advantageous to turn their attention to the Colony. They had communication from Europe four days later than was received in Australia, and that, to his mind, was quite sufficient.

Mr. O'NEILL regretted to see the honorable member for Wairarapa so strongly opposed to the progress of civilization. He (Mr. O'Neill) did not at all coincide with the honorable member's opinions. With regard to the difficulties of constructing the line of telegraph, and the length it was supposed it would be, he thought the honorable member was mistaken. He would read that part of the report of the Select Committee which had reference to the point. It was as follows:—

"It appears to the Committee that the principle that lines of telegraph should be in the hands of the Government having been recognized in Great Britain and most of the colonies, the same principle might most advantageously be carried out in respect to submarine lines. The Committee agree, therefore, that the best course which could be adopted would be for the Governments of Great Britain, India, and the colonies, to combine for the purpose of constructing a through communication; the funds to be raised by Great Britain, and the respective countries to be charged annually for interest and redemption fund, in proportion to the extent to which the line should prove to be used by each. Failing such an arrangement, the Committee believe that the next best plan would be that a cable should be laid and worked by a contractor, without guarantee, but upon a concession for a stipulated number of years. It would be necessary, however, that in the event of any such concession, stringent conditions should be incorporated with it."

Clause 6 went very near what was intended by the Committee, but he thought that the cost to the country of laying a submarine line would not be such as to create any alarm in the minds of honorable members. It could be shown, beyond all doubt, that telegraphic communication had proved itself, all over the world, highly successful in advancing commerce and the general welfare of the people immediately affected by its extension. A very few years had elapsed—in 1842—since submarine cables were first experimented upon, and it would be easy to show the advantages derived from them by all the countries connected by and through which they had passed. It was only a few years since the Atlantic was spanned by the cable. It was first tried in 1857, but failed. It was tried again in 1858, and succeeded temporarily, and in that year a message was sent from Her Majesty to the President of America. It was

again tried and again failed in 1865, but the renewed efforts in 1866 were crowned with success, showing the indomitable perseverance of Great Britain in overcoming all the difficulties in the way of a successful completion of the work. Since then a cable had been laid down by the French Government, which was 1,500 miles longer than the former one, and 500 fathoms deeper. That cable had also proved a very great success. It extended from Brest to St. Pierre, and from thence to Boston. If the House decided upon having a line of telegraph connecting this country with Great Britain, he would be in favour of going from New Zealand direct to Sydney. He thought that the expense of a longer cable, in deep water, would not cost so much more, taking the weight of the cable into consideration. That portion which was submerged in deep water weighed about two and a half tons to the mile, the land portion weighed eighteen tons to the mile, while that portion between the land and deep water weighed about six tons. He thought the advantage of going direct to the main land instead of to Queensland was obvious. The immense advantages of telegraph communication were felt everywhere. In 1850 a line joined London to Paris; in 1852 Holyhead was joined to Dublin; the Crimean cable was working in 1855, and by it the death of Nicholas at St. Petersburg was announced in the House of Lords the same evening. In 1866 communication was had between England and Australia, through India, in thirty days, and it would be a great advantage to have communication from Australia to New Zealand in a few minutes. Her Majesty's speech was telegraphed to India in a few hours after delivery, and the advantages that would arise from the proposed line of communication were most obvious. He would give his support to the motion.

Mr. FITZHERBERT said there were two questions raised by the motion, and he believed that while some honorable members would support the Bill on one ground, there were others who would have serious objections to it on the other. With regard to the remarks of the honorable member for Wairarapa, in respect to attending to the internal affairs of the country, he thought they were scarcely left any choice in the matter. It was utterly impossible, in his opinion, that they could consent to remain excluded from the rest of the world while they possessed so many internal advantages. They should endeavour to combine the advantages which they possessed from their insular and isolated position by being brought into intercourse with the rest of the world. On that ground he felt bound to support the proposal; but, at the same time, he concurred with the remarks of the honorable member for Timaru as to the constitutional objections which he raised against clause 6 of the Bill. He admitted that, year after year, they were passing Acts having appropriating powers. The Government too frequently asked for powers without going into details, stating that such details could not be given, and asking the House to trust to them in the administration of the powers given. He

thought such an objection to the measure was well founded, and he would be glad to see some proposal laid before the House by which the difficulty would be met.

Mr. STEVENS would oppose the Bill unless it were modified. He was not averse to the negotiation, by the Government, of any contract which might result in the establishment of submarine communication with Australia, provided there were no charge entailed upon the Colony. The communication proposed to be established was utterly unnecessary and entirely premature, and could only result in a large expenditure of money without any corresponding advantage to the country. If any contractor should feel disposed to take a monopoly, and so pay himself for a period of years, he would agree to that. He concurred in the remarks which had been made as to the manner in which the House was divesting itself of its power of appropriation; in fact, it had almost come to this: that, unless for the appropriation of borrowed money, and the making of laws which were more or less unimportant, the functions of the House had almost disappeared. It would be seen that by far the greater part of the revenue had been engaged in a manner which did not leave it open to the House to deal with it in any way whatever. As he was not a member of the Committee, he would like to know whether he was right as to the probable annual charge of a submarine cable. From the correspondence, it appeared that a capital of £350,000 would be required to establish the communication, and the profit which would be necessary as a guarantee would be 6 per cent., with a reduction to 3 per cent. while the line might be undergoing repair. That was the guarantee which Mr. Henley proposed. The amount stated was £350,000, and another contractor had estimated it at £380,000. The guaranteed profit required would be 6 per cent., and the only asset would be the difference over the working expenses. In point of fact, if the contractor made no profit over the working expenses, which was very likely to be the case, the Colony would be saddled with £18,000 a year. He (Mr. Stevens) was not prepared to go to the expense of £18,000 a year for that purpose. It was altogether outside their convenience and requirements, and altogether beyond their means. When they considered the enormous engagements which the House had already authorized, it would be infinitely better that they should take into consideration what the liabilities of the Colony were likely to be for the next twelve months before saddling the country with additional heavy expense, and involving themselves in engagements they did not as yet know whether they would be able to meet.

Mr. VOGEL thought the opposition to the Bill had arisen from honorable members not clearly understanding its provisions. With respect to the first part of the Bill, giving power to the Government to enter into any contract, he wished to explain that that power would be one not involving the payment of money. It would be seen by Mr. Henley's letter that he was merely to accept

the contract for a term of years, and have a monopoly, as an inducement to construct the cable without any charge whatever to the Colony. In a subsequent clause of the Bill there would be inserted a provision that the line should be constructed at the cost of the person or company who undertook its construction. That was what they understood by Mr. Henley's proposal, and what was meant by the recommendation of the Select Committee: the payment was to be made by way of monopoly, and not by money payment. With regard to the objection raised by the honorable member for Timaru, that the Assembly was in the habit of giving a great deal of power to the Government to dispose of funds under its control by fixed appropriations, that objection had been clearly answered by the honorable member himself. The Assembly only sat three months, instead of nine or ten months, as in other colonies, and, therefore, it handed over to the Government a great many of the powers which, under other circumstances, it might prefer to exercise itself. He did not desire to enter into any general question in reference to a Bill of this kind, but he presumed he had explained the first part satisfactorily to honorable members. With reference to the second part, relating to the Governor entering into arrangements with the Government of Great Britain to establish the line, in such a case the House must repose a considerable amount of confidence in the Government. Any contract entered into with the Imperial Government would be one that would, in its very nature, have to be referred to the Governors of the other colonies, and would not come into immediate operation. No object would be gained by giving the Governor the absolute power of concluding arrangements. The arrangement would be submitted to the Legislatures of the other colonies. He would be willing to insert, after the word "arrangement," in the third line of clause 6, the words "subject to such arrangement being approved of and ratified by the General Assembly of New Zealand;" and after the word "willing," in clause 2, to insert the words "at his or their own cost." He would also be willing to strike out clause 7, as it was not meant to make the Bill an Appropriation Act. With this explanation, and the proposed alterations, he trusted the Bill would be read a second time.

Mr. BUNNY would be willing to withdraw his amendment if the Government would omit clauses 6 and 7 altogether. He had no objection to the Bill passing if the Government could get the line constructed without any charge to the Colony. He could not withdraw his amendment if clause 6 were to remain a part of the Bill, even with the proposed alterations.

Mr. STAFFORD hoped the honorable member would withdraw the amendment. The Government had proposed to alter the shape of the Bill in the direction indicated, and it would be open to the Committee to make further amendments. Under the circumstances, it would be unwise to divide the House against the principles of the Bill.

Mr. VOGEL said the question how the New

Zealand Government could enter into any provisional agreement would be discussed with the Imperial Government. He could not agree to strike out clause 6, as he was conducting the Bill through the House, not as a member of the Government, but as Chairman of the Select Committee, who were desirous that an arrangement of this nature should be entered into with the Imperial Government. Clause 6 would not be operative without further reference to the General Assembly.

Mr. BUNNY would, with the leave of the House, withdraw the amendment.

Amendment withdrawn.

The Bill was read a second time, and considered in Committee.

Question put, "That clause 6, as amended, stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	27
Noes	...	...	...	21
Majority for				6

AYES.

Mr. Barff,	Mr. McLean,
Mr. Bradshaw,	Mr. Mete Kingi,
Mr. Brandon,	Mr. O'Neill,
Mr. Dignan,	Mr. Ormond,
Mr. Edwards,	Mr. O'Rorke,
Mr. Fitzherbert,	Mr. Rolleston,
Mr. Fox,	Mr. Studholme,
Mr. Gillies,	Mr. Taylor,
Mr. H. S. Harrison,	Mr. Vogel,
Mr. Kerr,	Mr. Webster,
Mr. Kynnersley,	Mr. Williamson.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Main,	Mr. Birch,
Mr. McIndoe,	Mr. Macfarlane.

NOES.

Mr. Armstrong,	Mr. Richmond,
Mr. Clark,	Mr. Stafford,
Mr. Collins,	Mr. Stevens,
Mr. Curtis,	Mr. Swan,
Mr. W. H. Harrison,	Mr. Tancred,
Mr. Jollie,	Mr. Wells,
Mr. Kelly,	Mr. J. C. Wilson, C.B.,
Mr. Ludlam,	Mr. W. Wood.
Sir D. Monro,	<i>Tellers.</i>
Mr. Munro,	Mr. Bunny,
Mr. Peacock,	Mr. Hall.

The clause was consequently agreed to.

The Bill was reported with amendments, which were ordered to be taken into consideration on Thursday.

TIMARU AND GLADSTONE BOARD OF WORKS BILL.

The SPEAKER announced that he had received the following message from the Legislative Council:—

That they had agreed to the several amendments proposed by His Excellency the Governor in the Timaru and Gladstone Board of Works Amendment Bill.

The amendments were ordered to be considered next sitting day.

REAL PROPERTY BILL.

Mr. FOX.—Sir, I am well aware that the Bill of which I have the honor to move the second reading is not interesting to the generality of honorable members. It is dry and technical in its nature, and will, I fear, scarcely be made attractive by me. At the same time, it is one of the most important measures which have been brought before us this session, or any other session. There is no doubt that one of the strongest passions in the human mind, particularly in Anglo-Saxon communities, wherever you meet them, is the passion for land; and, if it is so with the Anglo-Saxon race elsewhere, it is still more so in this Colony, where the highest ambition of most people appears to be to obtain a homestead for themselves, on almost any terms,—entirely regardless whether their antecedents qualify them to be cultivators of land,—and where all are animated by the desire of having a piece of the world they may call their own. It is a very valuable characteristic, tending to the independence of those who are animated by it, and greatly strengthening the social character of any nation in which such a feeling prevails. Men cease to be mere loafers and floaters about on the surface of society; they become attached to some particular portion of the territory, and assist in developing the resources of the country, and in improving their own property, while they also improve the property of their neighbours. History affords illustrations on the subject. In Chaldaea and Mesopotamia, the cradles of Eastern life, the population was nomadic, and made little or no progress in civilization; but in Egypt, where agricultural communities and a peasant people were first called into existence, we find the germ and origin of all the civilization of the old world, not to say of modern times also. It was to the system of landed possession adopted by the small farmers in Egypt that the early civilization of that country, and the high state of progress to which it attained, may be almost entirely attributed. Wherever you see, under proper inducements and under proper laws, the same state of things existing, there, I think, you will generally find a great amount of prosperity and a large diffusion of happiness. There are exceptions, where the possession of small homesteads has not been fraught with those beneficial results, but that has been owing to class legislation, to religious dissensions, or to some inherent fault in the character of the people. If that be the case, Sir, and if the possession of landed property be a matter of so much consequence, it must necessarily be also a matter of much consequence that the evidence of the title of persons to the ownership of property, and facilities for its transfer, should be secured and facilitated in every country by law; and the more you can effect those two points, the more conclusive and satisfactory you make the evidence of ownership, so that a man can carry it about with him in his satchel or in his pocket, and the greater facility you afford in transferring property from one to another, when occasion requires, the more will you utilize the possession of property, and the more beneficial it

will be to those who enjoy it. Unfortunately, in Great Britain a state of things grew up by degrees, based upon the existence of the old feudal system, which resulted in a reversal of nearly all those conditions which ought to exist in reference to the evidence of the ownership of property, so that the title to every man's property has become involved, obscure, and frequently uncertain or invalid, and the means of transferring property based on such a state of things has become costly, tedious, inoperative, and inapplicable. Well, Sir, of late years, reformers of the law of the old country have seen the enormous mass of evils which have grown out of that state of things, and have directed their minds towards the development of a new system—successfully in some instances, in others apparently less so—the tendency of which is to insure the two objects to which I have alluded: to confer a more secure title upon property, a more easily recognizable title, and also to confer facilities of transfer, which is the most desirable ingredient in the possession of property. The old feudal ideas which originally gave a direction to the minds of lawyers on those subjects are fast passing away. People are becoming more enlightened, and are beginning to see that the circumstances of the country no longer require that landed property should be bound up by those stringent and technical rules, and by those abstract processes of reasoning, which formerly were considered necessary to the security of property and land. People are beginning to see that there are no essential differences between land and any other property, and they are beginning to see that the same means by which any other property can be transferred are equally applicable to the transfer of land. In a new Colony, such as ours, of course the evils affecting property of every kind are less than those of the same system in the old country—the system of tenure, the system of transfer, and the hereditary rules by which evidence of title is established—simply because the transactions are less complicated; but, except so far as our Legislature has in some small degree altered those rules, they still exist, and as our transactions become, as they necessarily will, more complicated, we shall find ourselves, in a few years, in the same state of unsatisfactory complication as regards real estate as exists in the old country. It behoves us, therefore, in this early stage of our history, and while the field is a comparatively clear one before us, to endeavour to make such alterations as the experience of the old world, and the reasoning of more enlightened minds, may suggest, with a view to the management of our landed property in the future. Sir, the Bill the second reading of which I propose to-night has for its object only two or three very simple things. The first and main object which it has is to enable a man to have perpetually at his hand the evidence of the ownership of his property. I cannot illustrate this better than by alluding to the manner in which commercial accounts are kept. If any one has transactions with a merchant, or if two merchants have transactions with each other, a series of books—day-books

and ledger—are kept between the two, which would enable either of them, at any time, to turn over a page and tell the other exactly how the account stands. The account is always kept written up. Now, with titles to real estate in the old country that is not the case. The title there is never written up, except, perhaps, on the occurrence of some new transaction after the lapse of a great many years, when it receives that writing up which a merchant's account receives every day in the week. What would be the condition of a merchant's account if, instead of keeping the balances always written up, he had, when a customer came and asked how his account stood, to go back to his pigeon-holes and files, and have to take down every voucher, every cheque, every invoice, every bill of lading, and every payment made on the one side or other of the account, extending over a period of perhaps fifty or sixty years, to call in an accountant and say, "Make up this customer's account?" I would ask, how could you ever transact ordinary monetary business if you were subject to such a difficulty as that, when you wished to know how the balance stood in any particular case. It would be manifestly impossible, and yet that is the way in which landed estate has been managed in the old country for centuries past. No man's account has been written up, and if he wishes to transfer property, he has actually to reopen the running account up to the time, and hunt up first one deed and then another, extending over a number of transactions and a number of years, and to employ lawyers, before he can really tell how his title stands—whether it is his own or not. I need not say that, in the course of the multiplicity of transactions, extending over a long period, technical difficulties will arise which very often result in this: that one day it will be discovered that a man's title, through some technical defect, cannot be completed, and his title is of no value at all except for holding purposes, that is, so long as he can keep it concealed from the world. That is the difference between the new system, to which I shall presently call your attention, and the old system—the difference which exists between a merchant's accounts which are always written up, and the case as it would be if the merchant had no other evidence of the state of the account between himself and his customer than that which might exist in the various bills of lading, invoices, cheques, payments, and other transactions, filed and in the pigeon-holes, for perhaps twenty years back. That way of putting the case is, I hope, intelligible, and capable of being understood by the meanest capacity, and yet it is the simple description of the chief difference between the two systems, one of which is now proposed to be substituted for the other. Another principle which is embodied in the Transfer Act is this, and it is equally a fundamental position of the system. It is called a system of registration, and so it is, but systems of registration have been devised in various parts of the old country, in Middlesex, Yorkshire, in Scotland, and other places, the object of which was to enable persons

who wished to have dealings with property, to discover whether there were any incumbrances upon that property or not. Those systems of registration, however, left parties to deal with their property by means of any instruments in the way of deeds by which they thought proper to carry out their transactions. The sole advantage derived from their registration was, that parties examining the registry could see, by tracing the registry book back to a certain time, the nature of the title; but the title itself rested precisely where the deeds creating it placed it. The registration gave the title no validity except what was on the deeds themselves, and if the deeds were ineffective, the title was not validated in any way by the simple fact of it being registered. Now, in that point there is a most material difference in the species of registration which is alluded to as 'Torrens' Act. It is, in fact, not a register of deeds by which the property has been transferred in a long series of transactions, but it is an actual transfer by the act of registration. The registration itself completes the act of transfer, and passes the property from the one man to the other, and, by the operation of the Act, it confers, from the date of registration up to the date of the next transaction, a parliamentary title, clear of all previous flaws and incumbrances. It confers a parliamentary title in the shape of a small slip of paper, which the possessor may carry about in his pocket from time to time, instead of having to produce a large tin box, lettered all over with the names of his estates, and containing forty, fifty, or one hundred title deeds, which would have to be subjected to strict scrutiny by lawyers, to discover whether there were any flaws or not in them, at an enormous cost, which often amounted to a large portion of the value of the estate. Sometimes small estates were actually absorbed by the cost. The size of a man's title is not regulated by the size of his estate; an estate worth only £5 might have a title which it would cost £500 to examine. That was the state of affairs with regard to the old system; but, under the new system, when once your title has been registered, and you have proved yourself, under the provisions of the Act, to be the owner of the property, from that time forth the slip of paper which you would receive, about the size of a bank note, is all you want as evidence of your title; and if you wish to transfer the property, you go to the registry office, hand over the document to the party to whom you wish to sell, and a new title is issued to him, which gives him a parliamentary title in which not all the ingenuity and skill of the most learned lawyer in the world could possibly find any defect or flaw. If, by any accident on the part of the registrar, or the parties dealing with the land, a mistake should be made affecting the title, there is an excellent provision by which, on the payment of a small assurance fee, a pecuniary guarantee is given by the Government for the parliamentary goodness of the title which is so issued. That is another immense advantage which distinguishes

the system, and which separates it, by a length which cannot be measured, from the enormous evils which have been ruining the Jarndyces and other unfortunate sufferers under the old system, with whom fact and fiction has made us acquainted for generations past.

There are two or three objections and fallacies with regard to this measure which are worth noticing. In the first place, objection is commonly taken that there is a vast difference between real estate, as it is called in the jargon of the law of the old country, and personal estate—that there is an inherent difference between bank notes and 3 per cents., and an estate in land. Now, that at first sight seems to be a very good objection. They say, “You can’t deal with land as you can with money, because there is such a great difference between the nature of the two. What resemblance is there between an estate of 10,000 acres and £10,000 in the funds?” In point of fact there is no difference at all. The fallacy is simply this: When a man transfers property, he does not actually transfer the thing itself, he only transfers the evidence of the ownership of it. He signs his name to a document which transfers equally well £10,000 in the funds and 10,000 acres of land. It is not the actual thing itself which passes between the parties; there is no manipulation in either case; there is no manipulation of sovereigns in the case of the funds, and no manipulation of acres in the transfer of the land. That solves the whole of that difficulty as to there being a difference between land and personal property. Another fallacy of a similar character is that people imagine that land can be dealt with in a variety of ways in which money cannot. That was the case at one time. Under the English law, landed property and personal property could not be dealt with in the same way, by means of the same machinery, the same trusteeships, and the same instruments of transfer; but now that is entirely altered, and honorable members may accept it as an axiom which, I think, cannot be contradicted, that, as regards the means of transfer and the evidence of ownership, there is now no difference whatever between real estate and personal estate. The very self-same will may leave a man £10,000 in the funds, 10,000 acres of land, or of any other property of a different character, and the same deed may convey them to his neighbour. In fact, there is no particular mode, that I am aware of, by which the one can be dealt with and the other cannot, so that that difficulty is now got rid of. The result that has been arrived at with regard to that is, that if you have a perfect system for the transfer of money in the funds, and you register the ownership of money by a very simple entry in a book, you may have precisely the same with regard to landed property. That is what lies at the basis of the whole of Torrens’ system—that you can transfer land, subject only to one point to which I will presently allude, exactly as you can transfer money in the funds. I arrive at my conclusion by analogy to the transfer of money in the funds. Torrens took

his view from the transfer of shipping. The sole exception to which I have alluded, which distinguishes the transfer of land from the transfer of stock, is this: that, as has been often said, money requires no “ear-mark” and land does. Well, then, it becomes necessary to give land an ear-mark, and that you do by simply having plans. The moment you have a plan made for your land, and have it divided into sections, those sections numbered, and every district subdivided, you get an ear-mark which it is easy to distinguish. One of the commonest objections made to Torrens’ system is thereby met at once. You cannot introduce it here, people say, because there are no plans in connection with the land. Now, it is notorious that the plans in New Zealand are far from perfect, and, therefore, many consider we should wait before introducing Torrens’ system until we have got a perfect system of plans applicable to the working of the Act. The answer to that is brief and plain. It is this. You require plans in the existing state of things also. A Crown grant cannot be issued and registered without a plan being attached in the margin. Every transfer of land must have a plan in the margin; every lease and every mortgage must have a plan in the margin; and without such there can be no conveyance. If those plans are sufficient for the purposes of conveyance under the existing law, are they not equally applicable and available for the purposes of registration, and for the consequent transfer of land between man and man under Torrens’ system? There is this to be said, however, that sales sometimes take place in some parts of the country of large portions of unsurveyed land, and these it would be impossible to bring under the operation of Torrens’ system. Until surveyed, it is true, the owners cannot resort to the Torrens’ system, but they will not be in a worse position than at present. In the meantime there is no cause why the rest of the community should not have the benefit of the simple, expeditious, and cheap system of transfer proposed by this Bill. There are only two classes of objections which have ever been urged against this system of registration. The first are of the class I have mentioned,—objections which apply to the existing system with equal force. With regard to the other class of objections, they can be removed by legislation in this House whenever difficulties arise. That was the principle upon which Mr. Torrens began. Impediments and difficulties of all kinds were raised, by a phalanx of lawyers and members of the legal profession generally, against the system,—every possible obstacle was thrown in the way of its working successfully; but these difficulties were removed by legislation whenever they arose, and hence the machinery of his Act has now been brought to work with the greatest smoothness. If any difficulties and drawbacks are alleged to exist at present as regards land transfer, I ask do they not with equal force apply to the existing system as well as to that proposed under Mr. Torrens’ system; and where others may arise which we do not at present contemplate, they can be re-

moved by legislation. There is no objection that can be brought to bear against Mr. Torrens' system, that does not, with equal if not with greater force, apply to the existing system. The Bill I am moving to have read a second time is almost a literal transcript of Mr. Torrens' Act. Its provisions are simple. It establishes the title to the land, but it is necessary that the party desirous of registering should be proved to be the real owner of the land. That is the only part which may involve any difficulty or doubt. If the title is in an involved state—if parties have not taken the trouble to get their title from the Crown or intermediate purchasers in a satisfactory manner, and if there is not evidence to show that it is theirs—the matter will be discovered when they make application at the registrar's office to have the land registered. There will be the registrar-general and the examiner of titles, whose duty it will be to sift every title when presented, and if the title is bad, the person presenting the same will be told so, and the mode pointed out by which it may be rectified. If good, the title is placed upon the registry, and after that you have a good parliamentary title which never afterwards can be shaken; and in the few cases where any defect arises from the fault of the Government, or those connected with the office, or such as may arise from forgeries, then it will be incumbent on the Government to make compensation to the registered owner. The next part of the Bill provides for the registration of judgments, mortgages, deeds, and similar instruments, and also for the transfer of land. If a good title be shown to the land, it can be transferred from one to another over the counter in an office, or anywhere, as I have seen done in South Australia. The rest of the provisions are purely of a technical character. The Bill contains a very considerable number of clauses, and I shall not pretend to go through them and point out each particular part. There will be an opportunity of doing so in Committee, should it be deemed necessary. There is one clause, however, to which I desire to call particular attention, because it may possibly arouse some hostile feeling—although I am not aware that any hostile feeling really does exist against the Bill—in reference to professional men, upon whom this clause may be thought to bear hardly. When Mr. Torrens introduced his Bill in South Australia, he was there met by every difficulty that could be opposed to him by the Bench, by the members of the bar, and the entire body of solicitors, who had all set their faces against the Bill, and it was only natural that the Bill should set its face against them. Under these circumstances, it took the transfer of land out of the hands of the members of the legal profession, by appointing what are called land-brokers, who were appointed by the Government, and who were required to give sufficient security for the performance of their office. That clause of the Bill has not been enacted in Victoria, or any Colony, I believe, except South Australia, and, I believe, in Queensland also. It was found absolutely

necessary to introduce that clause, from the great hostility which the Bill encountered in South Australia. In reference to this clause the Government intend adhering to it partially, but they will consent, should the House so desire it, to its being modified, not, however, to the extent of striking out the power to appoint land-brokers altogether, as there are some places in New Zealand where it may be necessary to appoint persons as registrars who are not lawyers. The Act will authorize the Governor to declare where such appointment may be made. I shall go further, and state that it is not the intention of the Government to put that clause at present into operation. The Government will look to the legal profession for the assistance which they can give in working out the provisions of this Bill. I am glad to see, in New Zealand, upon the introduction of a measure of this kind to the consideration of the Assembly, that the Government have been almost entirely free from opposition on the part of the legal profession. They have given, from all parts of the country, their cordial support, as evidenced by the many letters which we have received upon the subject. In 1860 there was a similar measure introduced into this House, which was supported by six lawyers in this House. I trust that the present Bill will receive all possible assistance from members of the legal profession, and, indeed, up to the present, the Government have every reason to anticipate their support and concurrence. Some slight alterations have been introduced in the machinery of the present Bill, but, substantially, it is the same Bill as that which is at present at work in South Australia. The original Bill, after working some years, was amended, and it now works most satisfactorily. What induced the Government to adopt this course was, that although there were some things in the other Australian Bills which are thought to be better than some of the provisions contained in this Act, yet Mr. Torrens' Bill has got such a reputation, and it has worked so successfully in South Australia and other places, we felt that there would be more confidence reposed in a measure in this country if brought in as Torrens' Bill, pure and simple, than if we were to frame a Bill of our own, which might differ materially from Torrens' Bill, and which would not have enjoyed the same amount of confidence as Mr. Torrens' Act is deservedly entitled to. I may, perhaps, be allowed, before moving the second reading of the Bill, to say a few words as regards the history of the measure which has now become so celebrated as Torrens' Act. I am not much in the habit of alluding to anything I may have done myself, either in regard to New Zealand politics or social reforms of any kind. I never wish to parade my humble efforts in trying to serve my country; therefore, if I mention my own name, I hope members will pardon me for doing so, in consideration that this is a measure in which I have great pride and hold it an honor to be connected with. The earliest trace of the existence of such a system as the

transfer of land by registration, to which Mr. Torrens' name is now attached, is, I believe, to be found in Belgium, and some other continental countries, where, for a great many years, a system similar to it has existed. The transfer of land in Belgium and those other continental countries has been based in principle upon the same foundation as Torrens' Act, and I believe it is one reason why, wherever it prevails, the relative value of real estate ranks at least 5 per cent. higher than in countries where it does not prevail. The first person, as far as I am aware, who called the attention of the public to the subject in Great Britain, by the publication of his views, was my honorable colleague, Mr. Sewell, who, as early as 1844, published in London a very elaborate pamphlet, in which he recommended the adoption of a system similar to that under Mr. Torrens' Act, and with identically the same principles. As far as I have been able to trace, that was the first attempt to call the attention of the public of Great Britain to the subject.

An Hon. MEMBER.—I think Lord Brougham did so before him.

Mr. FOX.—Possibly, but I am not aware that he did. Well, the next occasion upon which I find the subject brought publicly forward, was by the publication of an article in the *Westminster Review* in March, 1846. That was ten years before Torrens' Act was introduced in South Australia. It was a very able and elaborate article, and was, I believe, written by a gentleman named Wilson, a London solicitor, a gentleman who evidently possessed a most perfect knowledge of the question he was dealing with. The subject was thoroughly exhausted. He went so fully into details and forms for the elucidation of the points he was discussing, that the article, with little labour, might have been moulded into an Act. The perusal of that article was my first acquaintance with the subject. My wish, from that time, has been to see it carried out in this country. After reading Mr. Wilson's article, I endeavoured myself to call attention to the subject in the Colony. I was then at Nelson, and I wrote upon the subject in the local press. In those days we were not a reforming people, nor need I say that there was not much transfer of property going on. From that time I took advantage of every opportunity to bring the matter prominently before the public, and I find, on looking over some of the Imperial parliamentary papers for 1850, that in 1848 I wrote home to the New Zealand Company, whose principal agent I then was, delineating the whole scheme known as Torrens' system, and recommended its introduction into the Colony. In the following year, when the Canterbury Association was being formed, I recommended that, in starting the new settlement in Canterbury, they should not lose the opportunity of initiating a system that would prevent confusion growing up as regarded the transfer of land as it had grown up elsewhere. After that, Mr. Torrens commenced his labours in South Australia, by writing a series of articles in the *South Australian Register*, in 1856. I saw Mr. Torrens

some time afterwards, and, in the course of the conversation that I had with him, I called his attention to Mr. Wilson's letter in the *Westminster Review*. He assured me he had not seen the article previously, and that his views upon the subject originated while an officer in the customs at Adelaide, and being in contact with those who had transactions in shipping, and that that was the point of view from which he started. Though working from a different starting-point, the idea, in his mind, was original, and he gave his views upon the question in the *South Australian Register*, in 1856. He travelled, also, through the country, and addressed the people upon the subject, and, early in 1858, the Bill became law. Every impediment was thrown in the way of its being carried, but the outside public stood by him, and he succeeded in bringing it through. He was himself the first registrar-general, and he brought the system to that perfection which was found necessary for all practical purposes. In 1860, the second session that I had the honor of holding a seat in this House, a measure based upon the same principles as those contained in Mr. Torrens' Act was introduced and carried through. It happened during the year in which occurred that Waitara discussion, that fierce body to body fight, as it has been called, which engaged all the intellect, passions, and feelings of the House; the consequence being that that and many other measures did not receive that amount of attention which they should have obtained. Amongst other Bills, our New Zealand Bill was not rendered as perfect as it might have been. There were found to be defects in the measure, some of them of a serious nature; still, it was capable of working if properly put into operation. Unfortunately, however, it was supplemented by regulations, and these regulations, to a great extent, spoiled the Bill. The high fees required, and other matters, prevented it from being put into force to any extent, and I believe Auckland is the only place where it has been partially put in operation. Another reason for its failure, since 1860, is because we have been engaged in a series of internecine wars, and the mind of the public, of this House, and of the country, has been drawn away from the consideration of great social reforms, which, even if passed in this House, were not pushed forward in practice. After we got the New Zealand Bill, we ceased to take action necessary to give it full effect. Gentlemen holding the office of registrar-general at the time they were Ministers could not attend to the duties, and no further proper provision having been made by this House, the matter was allowed to be forgotten, even though we had the ball at our foot. I may mention, in regard to the present measure, that it has been found perfectly practicable. In South Australia, when I was there in 1865, there had been only two instances of the Government being called on to give compensation for errors and only one instance in which it had to be given, and then it only amounted to £80. It has been also found a perfectly practicable measure in Victoria, Queensland, Tasmania, and New South Wales. At the same time, I warn this House not to believe

that it will be successful in New Zealand unless carried out by a proper and efficient administration. It will not do to give other than sufficient means to enable the Government to work the Act properly, and receive all that attention from our hands which it deserves; otherwise I believe it will prove a failure. There will be more difficulty in working the Act in New Zealand than in many other colonies which possess the advantage of a metropolitan centre to start from. Here there are nine Provinces, and it will be necessary to have at least five registrars' districts, in addition to a registrar-general, and the necessity for increased machinery is attended with greater risk of failure and of complications inherent to the administration of Acts of this kind, but I live in the earnest hope of seeing it successfully carried out. Without pressing too much upon the House, I would wish to say that I trust the Bill will not be too minutely criticized. There are many things in the Bill which I do not myself approve of—some points which, in my opinion, are not perfect, some that even conflict with its principle; but we know that it has worked well elsewhere, and we should, therefore, take it to begin with as it is. It has received a minute criticism in another place, from which we have received it, and therefore it is that I would suggest that it should be taken as it stands. The wisest thing to do, I believe, would be to pass it through without alteration, unless in some minor particulars.

Mr. MACANDREW had much pleasure in supporting the second reading of the Bill. He believed that the Bill would be hailed with great satisfaction throughout the country. He could speak for that part from which he came. In the Provincial Council of Otago, last session, a resolution had been unanimously passed upon the subject, asking him to bring the matter under the notice of the Colonial Legislature. Understanding, however, that the Government intended taking up the question, he had refrained from doing so. With regard to the evils which existed under the present system of conveying land, the Premier had stated that they were less felt here than in the old country; but he would not have said so if he were aware how the system operated in the southern parts of the Colony. He could point to one instance in Otago in which the cost of transferring a single property held under Crown grants was between £400 and £500. In Otago, where there were many hundreds of town sections, sections of land which cost originally £5, £10, or £15, the cost of transfer exceeded the original purchase money. He believed that the day which would see the Act proposed by the Government successfully carried, would be a day of prosperity to the country, and would be a red-letter day in the calendar of New Zealand. He was glad to hear the honorable member at the head of the Government recognize the fact that the success of this measure depended really more upon administration than upon legislation. Its success would almost altogether depend upon its proper administration, and he would be glad to give any man £5,000 a year, for the term of his natural life, who would get the measure into fair working

order throughout the Colony. He had very great pleasure in supporting the proposal before the House.

Mr. CRACROFT WILSON, C.B., said it had always been a fortunate circumstance to himself, during the present session, when he could heartily agree in any scheme that emanated from the Ministerial benches; and, on the present occasion, he cordially supported the second reading of the Bill. He was averse to red-letter days, but he would mark that day with white stones. The Premier would understand the meaning of that expression. During the last ten years, he had repeatedly put questions on the order paper, asking what had become of Torrens' Act, passed in 1860, when an officer, who should be nameless, was appointed, at a salary of £800 a year, to carry it out. His questions were always accompanied with the same few words, to the effect—how far southward it had travelled out of the city of Auckland. It had never travelled out of the city of Auckland since 1861, yet they might now hope there was every prospect of its reaching Canterbury. There could be no doubt as to the utility of the measure. They all knew well that this measure had been long looked for by all classes of the people. They all knew that the preservation of old documents, however favourable they might be to the composition of history, was very detrimental when they got into the hands of expert lawyers on both sides of a complicated case, which gave room for all kinds of legal ingenuity. If the Bill were passed, and really carried out *bonâ fide*, it would be an honor to the Ministry of the day, and he sincerely hoped it would be brought into operation.

Mr. STEVENS would congratulate the Government on the course they had taken in introducing this Bill. He had for many years been connected with the transfer of land, on an extensive scale, in another part of the Colony, and he thought it was impossible that any measure of more important reform could be introduced. He agreed with the honorable member at the head of the Government, that it would be better to take the Bill as it stood; there was no advantage to be gained in taking the Bill in hand in a critical spirit. It would be better, if anything were found to be wanting in the measure, to adopt improvements after they had had some experience of its working in the Colony. There were one or two points upon which he would like the Premier to give him some information. One was as to bankers' lien. He had watched the course taken in the other branch of the Legislature, and he observed that one honorable member, who appeared to have a complete knowledge of the working of the Act for many years, stated that, in the first Amendment Act on Torrens' measure introduced in South Australia, the banker's lien was introduced, as it was not incorporated in the original Act. He would ask if that was contained in the present Bill, as he had not had time to read the Bill. There was another point with regard to the assurance fund of title. That was a proper and equitable provision in every respect—the principle of it was thoroughly

good, and he thought it would work exceedingly well; but he would like to know whether Crown grants, unaffected by subsequent transactions, were to be liable to contribution to the assurance fund in the same way as any title that might have attached to it some twenty deeds. There was some reasonable objection to be taken to that provision, for, if the grant from the Crown was worth anything, it was a title of the most complete and thorough kind. There was a principle of some moment involved in the matter. It appeared to be almost an absurdity to say that the title under a Crown grant should be made liable for contribution, on the ground that such contribution was rendered necessary by a possible defect in other titles. There was another point on which he wished information. When the Bill came into operation, if a person proved his title under that Act, and any person purchased from him, either under a contract which might be in existence but incomplete, or which might be entered into subsequently, could the purchaser compel the vendor to bring his title under the Act, instead of having, as now, to instruct a solicitor to prepare a conveyance to him? In other words, if he (Mr. Stevens) bought some property from a person, could he have his title from him under this new Act? It might make a very material difference, for if the purchaser could not bring the title under the new Act, he would not be better off than under the old system as regarded existing titles. He begged to state that they were indebted to the Government, in a great degree, for having brought forward this measure. He believed the country would be exceedingly grateful to them for introducing a measure which would save enormous expense to all persons who were accustomed to deal with landed estates in this country.

Mr. BORLASE had to thank the Government, on behalf of the people, for having brought forward this measure. He believed, although the Bill was apparently against the interest of the legal profession, no great section of that profession would oppose a Bill which was calculated to confer a benefit upon the people. It was a very hard thing that, in dealing with a small extent of property, the people should be saddled with the heavy costs which could not be avoided in the preparation and registration of deeds. The labour was as great in small transactions as in large ones. He should like to see clause 111 struck out, as it was neither just to the people nor to the legal profession. The people would be better guarded by persons in the habit of dealing with estates, and they could take the advice of their own lawyers. The first initiation of the scheme would be very complicated and difficult, but when established it would work smoothly. They should take the Bill as a whole, with the exception alluded to, and see how it would work, and he would do all he could to assist in the carrying of it out.

Mr. HALL heartily concurred in the proposal of the Government. It might be true that the difficulties connected with the transfer of land had not yet attained the same magnitude here as

in the United Kingdom, still they had, in a great many cases, reached to a considerable extent, and they were daily increasing. With every transfer, especially with every subdivision of property, those evils were becoming greater and greater. They were more felt in this community than in the mother country; the possession of land was more generally distributed, and its transfer was more frequent. It was held to a greater extent by what were often called the poorer classes, so that the evils connected with its transfer were more generally felt than in the old country. This was not the first time an attempt was made to introduce such amendment in New Zealand. Ten years ago they passed an Act, but it did not effect the object which they strongly hoped it would carry out. He was inclined to believe that one good reason why it did not succeed was that they did not take Torrens' Act pure and simple. This Act was in operation in the neighbouring colonies, and had entirely succeeded. When he was in Australia, about three years ago, he made inquiries of persons who could give reliable information as to how Torrens' Act had worked there, and, as a general rule, the result of those inquiries was that its working had been very satisfactory. In Melbourne some alterations were made, principally at the instance of the legal profession, and the gentlemen of whom he had made inquiries, and to whose opinions he attached considerable weight, had told him that they did not think those alterations an improvement, and they warned the people of New Zealand not to encourage alterations of a similar kind. With regard to the Act now in operation in this Colony, he might say that the late Government was not idle. Steps were taken for establishing offices for carrying out the Act, not only in Auckland, but in other parts of the Colony. In nearly the whole of the large towns of the Colony, persons could have availed themselves of the Act if they had thought proper. Alluding to the proposal for allowing the business arising out of the transfer of land under this Bill to be transacted by persons not members of the legal profession, he trusted the transactions would be so simple that people would be able to dispense with professional men and even land-brokers, and be able to transact their own business. He did not see why business so simple should be confined to members of the legal profession. The Government would have his most cordial support in carrying through this measure, and he trusted they would endeavour to carry it through in its integrity. Whatever difference of opinion existed on other subjects, there was, on the present occasion, but one opinion, that, in passing a measure of this kind, the Government would confer a lasting benefit on the Colony.

Mr. BIRCH was sure the House and the country were very much indebted to the Premier for the very able and straightforward speech he had made in moving the second reading of the Bill; and the House and the country would feel very much indebted to the honorable gentleman and the Government for bringing forward such a measure. In Otago, the cost of conveyancing was

so great that people were almost prevented from transferring land. It was impossible for a settler in that Province to transfer a quarter-acre section without incurring an expense of from £5 to £10. A friend of his had occasion to substitute two trustees in the room of one who died and another who did not desire to remain any longer a trustee, and the cost of substituting the two names, including a new deed, amounted to £30. That was a startling fact. The present Superintendent of Otago, when he first took office, would have put the Act in operation in that Province, but, from some cause or another, it was impossible to administer the Act. There was a great opposition raised to putting the Act in force, but he sincerely trusted that Torrens' Act would become the law of the land. The whole country would be benefited by the carrying out of such a simple and comparatively inexpensive mode of transferring land.

Mr. MACFFARLANE had spent the greater part of his life in a country where the feudal system was in full operation, and where it was impossible to transfer property without great research and expense. Conveyancing was a distinct branch of the profession, and required an amount of legal knowledge not inferior to that required in any other branch of the profession. It was necessary often to go back for a period of twenty years in order to find out whether a title was accurate or not. If a lawyer committed a mistake in the preparation of a deed, his heirs for twenty years to come were liable to the consequences of that defect. When he looked at the past, and when he looked at the measure before him, which was intended to make the transfer of land so simple, he could scarcely believe it; he thought he would never live to see land so easily transferred as was now proposed by the Bill under consideration. Such a great change could not be brought about without the most careful supervision. He hoped the Government would take care that it would receive such supervision, for he was perfectly certain it would require it all. He hoped all the good that had been anticipated from this measure would be realized, and, if so, certainly the day which saw this Act passed would be a red-letter day for New Zealand.

Mr. BRANDON would not oppose the Bill. Although he thought it was necessary to adopt some method for simplifying the title to land, yet he did not believe the course proposed would realize the expectations of its promoters or those who supported it. Experience would show whether the Government were right, or whether great frauds and mischief might not hereafter be caused through the operation of the Bill.

Mr. BARFF said the honorable gentleman who had charge of the Bill had intimated his intention of modifying section 111. It must be apparent to any one who had read the Bill, that if that clause were altered to any considerable extent, it would interfere with the whole working of the Act. He trusted the honorable gentleman would afford the House an opportunity of judging of the nature of the amendment to be proposed in

that clause, and not take the House by surprise when they went into Committee on the Bill. He heartily supported the Bill as it stood.

Mr. FOX said the Government would be prepared, when the Bill was in Committee, to suggest an alteration, to limit the creation of land-brokers, and to vest the power in the Governor in Council instead of the registrar-general. There would be no land-brokers appointed unless a necessity should arise for doing so. The Bill had been found to work satisfactorily without such a provision in Victoria and elsewhere. With regard to the question put by the honorable member for Selwyn, as to bankers' lien, such a provision was not in the original Act; whether it might be in any amended Act he was not prepared to say, but he would ascertain before the Bill went into Committee. He must say that such a provision would be at variance with the principle of the Bill, which was that no title was recognized unless registered. The question had been raised, both at home and in Australia, whether trusts should be registered. The principle writers on this branch of law, at home and in Australia, were opposed to trusts being registered. The registration of any kind of trust was undoubtedly at variance with the principle of the Bill. The owner of a fee simple should be the only one to transfer an estate; but if it were left to the registrar to register trusts, he thereby became responsible for them—he was converted, as it were, into a court of chancery, and it would be necessary for him to satisfy himself that all the conditions of the trusts had been fulfilled before he could permit transfer. With reference to what the honorable member had said about deposit of deeds to a bank, there might be a difference between the two cases; for, while the registration of trusts under a marriage settlement, or under a will, would involve a great lapse of time, and complications might grow up, deposit transactions, though in the nature of a trust, were generally temporary. There was no provision in the Bill to provide for that, but it might be desirable to consider whether a clause permitting deposits might not be introduced into it. There certainly seemed, at first sight, no reason why an insurance fee should be paid on an act of the Government's own doing; but he was not quite sure, without looking further into the Bill, how the matter stood: he would, however, look into the matter before they went into Committee. With regard to the other point which had been referred to,—that of a pending purchase,—after the first registration of the title, no man would think of purchasing property without first ascertaining whether the title had been registered in the court. The difficulty alluded to by the honorable member could only arise in the first instance. He would, however, look into this matter before the House went into Committee on the Bill. He would not ask the House to go into Committee upon it until Thursday.

The Bill was read a second time, and ordered to be committed on Thursday.

UNINCORPORATED BOARDS SUITS BILL.

This Bill was received from the Legislative Council, read a first time, and ordered to be read a second time next sitting day.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

The Gold Duty Bill and the Sale for Non-payment of Rates Bill, which they had passed with amendments, which were ordered to be considered on Thursday.

POSTAL SERVICE TO SAN FRANCISCO.

The House resolved itself into a Committee of the whole to further consider the following resolution:—

Seeing that neither of the Australian Colonies has become a party to the San Francisco steam contract, and that New Zealand has been left single-handed to initiate this line, the Committee is of opinion that in the future conduct of the Service, this Colony should look to its own interests exclusively; with which view it is expedient that the steamers arriving at Auckland from Honolulu should proceed to Port Chalmers instead of to Sydney, calling again at Auckland on the return voyage to Honolulu.

The Committee is further of opinion that the time to be allowed between Auckland and Port Chalmers, inclusive of stoppages at intermediate ports, shall not exceed hours.

That with a view to carrying the foregoing proposal into effect, the Government be empowered to increase the present San Francisco mail subsidy to an extent not exceeding £ a year.

IN COMMITTEE.

Mr. VOGEL.—Sir, I am sorry that this resolution should come on for discussion in so thin a House—that this subject, which, according to popular idea, was the most important subject of the whole session, in which all the interest of the country was concentrated, should come on at last in a House so thin that it may be considered fortunate if it is not counted out. I shall detain the House as briefly as possible, while I make a few remarks upon the service to which the resolution of the honorable member refers. I will not detain honorable members by any lengthened reference to the circumstances under which the present contract was arranged. I may say that last session a resolution was passed to the effect that if, for the sum of £20,000, a postal service between New Zealand and San Francisco could be arranged, the Government were empowered to carry out such a service. I think that at that time there was not very much expectation that the service could be obtained for that amount; and I am strongly under the impression that if the Government had said that such a service could be obtained for that amount, it would have been looked upon as rather a rash declaration. It is all very well, by the light of subsequent knowledge—the knowledge that the service has been, to some extent, a considerable success—to

look upon it as a matter that was very easy to be arranged; but at the time the contract was under consideration, the subject was not only very difficult, but it was also somewhat doubtful whether it could be carried out. I was at Sydney at the time the service was arranged, and there I was the humble medium of arranging it. One thing which led me to take prompt action in the matter was, that there was good reason to suppose that a service would be established which would have left New Zealand out in the cold altogether, or at the best given her a chance of paying for a branch service to the Fiji Islands. Although nothing definite was settled at the time, we had reason to know that some such service was under contemplation. After the service was arranged, a proposal came down from Mr. Webb's representative, Mr. Collie, of which one of the great attractions was that the new service was to avoid the stormy coast of New Zealand by going to Fiji, from whence there was to be a branch service to New Zealand. I am of opinion—and I state it most emphatically—that if New Zealand is to arrange a service, the Colony must be placed upon the direct line. If the service is to go by way of Fiji or New Caledonia, with a branch to New Zealand, we may rest content to let other colonies or other countries arrange for such a service. Our duty is to see that New Zealand is placed upon the direct line of route, and that the steamers shall call here before proceeding to Australia. It would avail very little to go into all the details of the contract, or to enumerate the difficulties that were encountered in making the arrangement. I am not going to deny that the contractor was, to a certain extent, forced upon me; but I suppose honorable members are aware that the contract was in part made with the A.S.N. Company, which is the most powerful steam company in the colonies. I was in communication with that company, and it was after consultation with them that I found they could not directly accept the contract; but that they looked upon the plan which was subsequently carried out, as the best way of arranging with them—making them indirectly connected with the contract that was concluded. I contend that, on the whole, the service has not been an unsuccessful one. It is true, the passages have not been made so quickly as the contractor undertook to make them, but it may be a question whether he did not undertake to make them in a shorter time than the service could be performed, unless very powerful steamers were employed. Although the contract time has not been kept in respect to the length of the voyages, it is also a fact that no vessel has been unable to perform the voyage from Sydney to Honolulu and back in time to start at the right time again from Sydney and Auckland. The vessels have started at the right date, and they have also been able to arrive at Honolulu before the departure of the steamer going on from there to San Francisco. It must be borne in mind, in reference to this service, that the delay of a day or two on the route does not cause the same

loss of time as would have been caused on the Panama route, or as would be inevitable on the Suez route, because, shortly after the mail arrives at San Francisco, there is always a train ready to leave for New York. It is only fair to the contractor to say that some of his difficulties are owing to the fact that he has had to depend upon the very small subsidy he obtains from New Zealand, for the subsidies he expected to receive from Australia have not been forthcoming. The Government were not able to adopt the vigorous course which they otherwise would have adopted in obtaining those subsidies, on account of the strong, and, I may say, unwarrantable attempts to interfere with the contract made by persons who considered that their local interests were not sufficiently consulted. It was impossible, in the face of the declarations which were made, that the Assembly would repudiate the whole affair, for the Government to take up the ground with the other colonies which would have been possible but for those well-meant but ill-advised exertions. I always think it is a great pity for private individuals to attempt to undertake the functions of a government, no matter how well-intentioned their efforts may be. Now, Sir, with respect to the resolution of the honorable member: he has brought down a resolution which corresponds very closely to the proposal which I had the honor to make to a large deputation which waited upon me, and which proposal the Government desired to see carried into effect. I am not aware whether honorable members are familiar with the circumstances connected with that deputation. Probably some honorable members may have heard that a large deputation, smarting under what they conceived to be the intolerable hardship that a mail service should arrive in New Zealand and not make Wellington the first port of arrival, waited upon the Government. I believe they were not very pleased that they had to see the Postmaster-General, and not the other members of the Government, upon a question relating to the mail service. The spokesman of the deputation was frank enough to admit that he considered the service was better than none. Other members of the deputation were grieved at his making such an admission. In subsequent correspondence, he was directed to declare that no other port could be accepted but Wellington, and that as for Port Chalmers being made the last port of arrival and the first of departure, it was out of the question. But the Government have not swerved from the position they have taken up, of which this resolution is a close reflex, that it will be to the interest of New Zealand to obtain a service such as the resolution of the honorable member points at. I will now refer to the advantages of the honorable member's proposal. I believe it is perfectly practicable, if the proposal is carried out, to obtain thirteen services a year out of two vessels. If these vessels have to go on to Sydney it would be difficult, if not impossible, to obtain thirteen services; but I think they would be able to go from New Zealand to Honolulu and back, and refit for a fresh voyage, in fifty-six days. One great

advantage of the proposal of the honorable member would be the increased accommodation which New Zealand passengers would enjoy from this service. Another great advantage would be, that all the passengers by these vessels would make a more or less lengthened stay in New Zealand, availing themselves of the vessels to go to different parts of the Colony. From the Australian point of view, it will be said that the service will not be so convenient to passengers if they transhipped, as it would be when they went direct from Australia. But are we not to consult the convenience of the Colony which has the enterprise to subsidize this service? Is not New Zealand entitled to the largest amount of consideration? It is to be borne in mind that either Sydney or Melbourne must in any case have a branch service. If a passenger has determined to go home *via* San Francisco and New York, the transhipment will not deter him. He would, doubtless, prefer not to have to change, but I do not think it will act so as to deter him altogether. If passengers submit to have a change of ships at Auckland, as they do now, I think you can safely come to the conclusion that persons coming from the neighbouring colonies, are made of the same sort of material, and will submit to the same sort of inconvenience, if they desire to travel by the route. By the overland route a change has to be made; and in the steam service from Chagres, we know that to some of the largest West India Islands the service is performed by branch steamers from St. Thomas. But if New Zealand pays the subsidy, we should look after New Zealand first, and give her the largest amount of convenience. Persons coming from Australia might put up with some inconvenience or seek some other route. We can see the direction to which the different colonies are striding in respect to their mail services. Sooner or later, Victoria will take the present Suez service under her own wing, and also a service by the Cape route. These services will be mainly carried on by Victoria. Queensland and New South Wales will take charge of the Torres Strait service; and I think it is worth the while of New Zealand to take charge of the Honolulu and San Francisco service. I believe, if the House thinks fit, in its wisdom, to arm the Government with sufficient power, that we shall be able to arrange for a service which will be under the control of this Colony; and I must express a very strong opinion, and one which I have formed after very deliberate consideration, that the Colony could not adopt a wiser course, looked at not only in relation to a particular mail service for the time being, but also in relation to its future history, than to so arm the Government with power as to place that service under the control of the Colony. It will be impossible for the Government to come down to the House with any definite statement as to the course which the contractor may take. Honorable members have had an opportunity of seeing the papers, and they should be able to judge precisely to what extent the present service is or is not likely to be permanent. It would not only be

invidious, but it would be impossible, for me to enter into discussions in this House on the question as to how far and for how long we will be able to depend upon the service as carried out by the present contractor. It will be for the House to determine whether sufficient power shall be placed in the hands of the Government to enable them to see that the service is carried on, no matter what contingencies arise. There are, as honorable members are aware, a great many persons who have, what I may call, nibbled at this service, but how far they were sincere in their intentions, and really meant to carry out their proposals, I am not going to discuss. We know that, besides Mr. Hall and the Australian Steam Navigation Company, there are Messrs. Halliday and Brenham, who trade under the name of the North Pacific Transport Company; that a company in connection with Mr. Webb have also shown a great anxiety to be connected with the service; and that there is at home a company, under the auspices of Captain John Vine Hall, an offshoot of the old Panama Company, which is also anxious to have a chance. But, Sir, there is a greater company than all these, which I think may possibly come into the field, and which is, from what I can understand, one of the largest and most powerful steam companies in the world—the company which trades between San Francisco and Japan, and whose steamers pass very closely already to Honolulu, without calling there, but who might be induced to cause their vessels to call there, and so place the Colony in what we might call not only direct communication with San Francisco but also with Japan. It is impossible, Sir, to avoid smiling at those exhibitions which are the consequence of that strange local jealousy of which we see so much in New Zealand, when any question arises as to distinctions between place and place and port and port. I think, Sir, the time will come when all those persons who were concerned in the agitation about Wellington being made the port of call, and who were so strong in their condemnation of myself in particular, and everybody else connected with the service, will rather smile at their own credulity and the action they took. I have hardly words to express my amusement at the way in which the good people of this place allowed themselves to be humbugged by Mr. Collie. Anything more ridiculous, I think, it would be scarcely possible to conceive. Mr. Collie came down to New Zealand, and first alighted in Auckland. He assured the people of Auckland, and myself, as I happened to be there at the time, that he was quite convinced it would be desirable that Auckland should be the port of call, wherever might be the terminus of the service between San Francisco and Australia. He came down here and made a similar statement with regard to Wellington, when he was treated in the most surprising manner by the residents here. Public meetings were held, daily bulletins were issued as to the state of his health, and the public congratulated him upon his apparent recovery from a slight illness, as if he were the most important man in the colony, instead of a plain, honest, and straightforward

business man. Well, Sir, I suppose Mr. Collie thought it was best to go in the direction in which there was a favourable wind, and he proceeded to other parts of the Colony, where he also stated that he was not prepared to say but that each port was very eligible as a port of call. He was not sure whether very large steamers could get over the bar at Port Chalmers, otherwise it was a very desirable place for a port of call. He proceeded to Melbourne, where, as he might have learned before he started, he was not likely to receive very much encouragement; because it is no use our overlooking the fact that the policy of Victoria is not in any way changed from what it was in the days when we started the Panama service. That policy is to discourage a mail route which does not make Melbourne the port of departure and the first port of arrival. Well, Sir, Mr. Collie has stated that he is prepared to establish a service direct from Honolulu to Wellington, and that he is ready to accept £50,000 as the share of the subsidy from the Australasian colonies, being content to depend upon obtaining the rest from the United States. How true all that is, and to what extent the people have been humbugged, I think honorable members will see, when I read a letter which has been placed at my disposal, from Messrs. Collie, Stuart, and Co., which was handed to Captain Baldwin before he left San Francisco. It is dated 8th July, and is as follows:—

“We are in receipt of your letter of this date, asking information relative to the port of departure, and way ports of the proposed line of steamships to Australia and New Zealand. We beg leave to call your attention to the inclosed Bill now before the United States Senate, wherein all the ports of call are specified. It is intended that the fastest possible time to Australia shall be made, so as to compete with the boats of the Peninsular and Oriental Company *via* Suez, and the promoters of this line are of opinion that the mails from Victoria or Sydney can be delivered in London in forty-three days. That being the paramount object, the way ports are of a secondary consideration, and will have to be determined by the Colonial Governments and the amount of subsidy paid to us. Our proposition is simply to connect Australia and New Zealand with all the ports on the West Coast of this Continent, Japan, China, and the Polynesian Islands. To carry out this plan successfully it will be necessary to form a coaling depot in the Pacific, within 1,500 miles of Auckland, where the mails from Tahiti, New Zealand, and Australia would meet. With this arrangement, and calling off a port in the Hawaiian Islands to connect with the China steamers, a complete North and South Pacific service would be opened up, and so great an impetus given to the commerce of New Zealand and Australia that a few years would serve to make the line self-supporting; but, at the present moment, the capital required for so vast an undertaking is so large that private enterprise would fail long ere the channels of commerce had set in to make it self-supporting, and we feel that to undertake this service with credit, and supply boats of 3,000

tons, it will require at least £80,000 annually from Australia, and a like sum from the other Governments indicated on the route. The chamber of commerce of this port, seeing that it was requisite to place on this route ships of the largest class—and lest the contract should pass into the hands of parties who are only responsible to carry out the contract so long as the passenger traffic may continue,—petitioned Congress to only grant a subsidy to boats of over 2,000 tons register. The State Legislature, acting on the same principle, passed resolutions to the same effect, and the Bill now before the United States Senate provides that the ships must be A1 and 2,000 tons register, and the contractor shall give security, in the whole amount of the subsidy, to perform the contract for twelve years. The Bill brought forward by Mr. Webb has passed the Senate twice, and the Senate Committee, and made a special order for Saturday next by a vote of 31 for and 9 against. This Bill will certainly pass into law, but remain until it is known whether the Australian colonies will grant a subsidy of \$400,000 annually towards this line. As the United States Government will only grant a subsidy conditional on the Australian Governments paying a like amount, it will be apparent to you that such contracts will insure the success for working the line. The projectors view with regret the provincial difficulties in New Zealand, between Wellington and Auckland, and cannot enter into the question as to the natural advantage of either, but leave it to the General Government to decide for the well-being of the country at large, but are ready to despatch the first boat from San Francisco fourteen days after receiving notice from Mr. Collie that the colonies will grant the required subsidy, either to Wellington or Auckland."

I hope that will dissipate any idea which may be entertained that Mr. Collie had any authority to take the course which he took. In fact, there is a postscript to the letter dated the 9th, which makes the thing stronger still:—

"We have just received a telegram from Senator Cole, informing us that Mr. Webb's Bill before Congress will pass without fail, and we now only wait advices from Australia to start the first steamship; but we wish you to distinctly understand, that unless the colonies grant a subsidy of £80,000 annually to Mr. Collie, or assure him that such an amount will be paid, that the \$300,000 voted by the Senate will not be paid to any one. You are aware that the Bill, brought forward in Congress by the North Pacific Transportation Company to extend the present Hawaiian service, in connection with Mr. Hall, has been rejected by the Senate."

Now, honorable members will understand that it is an essential part of that plan that New Zealand shall be served by a branch service, and that the Australian colonies should contribute £80,000. I say it would be madness to suppose that the Australian colonies will contribute any such amount, nor do I think that New Zealand should, in any case, content itself with a branch service. I will go further, and say that there is nothing

more ridiculous than putting upon the line 3,000 ton side-wheel steamers for the commencement of such a service. The passenger traffic of these Colonies is not sufficient to support vessels of that size. I think there is no doubt that we are not in a position to support yearly twelve or thirteen ships which will carry as many passengers as the "Great Britain." There appears to be a difference of opinion in San Francisco as to the relative prospects of the gentlemen who are contending for the United States subsidy. I have a letter from Messrs. Halliday and Brenham, in which they say that they are likely to be the successful tenderers. It is as follows:

"You are, of course, aware that this company's steamer 'Ajax' connects with the steamers of Mr. H. H. Hall, from Melbourne, Sydney, and Auckland, at Honolulu, carrying their mails and passengers. There is, at present, a Bill before our Congress, authorizing the establishment of ocean mail steamship service between the United States and Australia. It is the universal opinion that it will pass this session; but, in the general hurry and press of business, it might not. Should it pass, we have no doubt of being the successful bidders for the contract. In the other event, we are anxious to know whether or not Mr. Hall's contract with your Government is likely to be continued beyond the six months, ending in September next, because we propose to make arrangements with Mr. Hall for a continuance of the contract with your Government, under better and more favourable circumstances, such as putting on the route much larger and far more suitable steamers, giving greater satisfaction, comfort, and speed. If compatible and agreeable, we will be obliged to you for this information, as well as any other you may see proper to give us, in relation to this steam communication with your section of the world."

Stranger still, there is a letter written on the next day, and dated the 10th, in which I am told:—

"From telegrams received this morning there is no probability that the Bill, referred to in our letter of yesterday, will pass this session. We send you an *Alta* newspaper of this morning."

I am inclined to think that the Bill will not pass, or, if it does pass, that it will be entirely inoperative. The conditions of the Bill are such as cannot possibly be fulfilled. One of the conditions in the Bill as printed is that, before the 1st January, the Australian colonies shall enter into a contract with the successful contractor, to pay the same amount of subsidy as the United States would pay. Sir, I think that this House can do no better than place a certain amount of power in the hands of the Government. I am aware that some honorable members are in the habit of supposing that the Government are very anxious to obtain power; but I think a question of this kind is of a very delicate and difficult nature, and that, as a matter of comfort and ease, the Government would much rather that the House should take the matter into its own hands. Certainly, the experience of last year—the amount of peace, praise, and reputation which the Government obtained

in endeavouring to carry out the views of the House by connecting New Zealand with the American continent—has not been of a nature to make them very anxious to undergo the same sort of experience again. I think, Sir, it would be impossible for the Government to tell the House into whose hands the contract is likely ultimately to fall. It may be that Mr. Hall may place himself in a position to run the service to greater advantage than hitherto, by employing larger vessels, and making the passages more in accordance with the contract time; it may be that the A.S.N. Co. will take up the service; or it may be that, ultimately, some American or English firm will get the service into their own hands. I think, however, that the question of ultimate contractor is one in which the less the House interferes the better. The House should rather decide the nature of the service it desires, and the amount it is willing to pay, and should leave it to the Government to carry out those desires. I have to say that it is the opinion of the Government that this service should be entirely in the hands of the Colony. If it were practicable, it would be a good plan for us to contract for the line between New Zealand and Honolulu, and to make subsidiary arrangements with the Australian colonies. It is quite certain the neighbouring colonies are not prepared to make any large or substantial payments; this Colony is, I believe, prepared to do so; and the power should rest where the chief payment is made. The United States, under the postal convention with Great Britain, charge us for the territorial transit of our letters from San Francisco to New York, and the ocean transit from New York to England; while Great Britain, on the other hand, charges us with the return post from England to New York, and we have to pay the territorial charge between New York and San Francisco. I believe an agreement under which the United States should carry our mails over its territory, and send them on free from New York to England, in exchange for our carrying the United States mails free from Honolulu, would be one which would be most satisfactory, and it would set free the postages received at home on account of letters despatched to the Colony, except the small amount which would require to be paid to the vessels carrying mails from England to New York, upon which weight payments have to be made. Some contracts, I believe, are made by weight, and others for a lump sum. Where the contracts are for lump sums, there would be no charge made to the Colony for including our mails with the other mails; but where contracts are for so much per letter, or so much per pound, it is not unreasonable that the English post office should charge us the absolute cost of carrying our mails. That amount would be required to be deducted from the English postage received; the balance, in accordance with the practice adopted with the Panama service, should be handed over to the Colony, and the amount would not be inconsiderable. The United States, I think, would have no difficulty in making the proposed arrangement with us. If such an arrangement be carried out,

the United States has a contract as far as Honolulu, and would not be put to very much extra cost. To make such a contract serviceable to the Colony, we should require thirteen services a year between San Francisco and Honolulu, instead of twelve, and that the services should be strict to time, instead of being allowed to be conducted in the present loose manner, and perhaps, also, a better class of vessels should be put on. I think there would be no difficulty at all in inducing the Pacific Company's steamers to call at Honolulu. I say that New Zealand should take the service into its own hands, and subsidize the vessels between this Colony and Honolulu. That, I believe, will be the best course to take. I wish honorable members to recollect that I am only stating this as a plan which seems to me to be the most practical way of giving effect to the proposition that New Zealand should have the service in its own hands. It may not be found feasible; it may be found desirable to enter into a general contract for the carriage of the mails right through; I am merely stating my own views as to what would be best calculated to give effect to the proposal, which I trust the House will heartily support, that the control of the service should remain in the hands of New Zealand. The Australian colonies would, I believe, be prepared to pay a small amount for the carriage of their mails. We should be enabled, if we carried out such a plan, to have thirteen services a year, either to Sydney or Melbourne, whichever may be the first port of departure from Australia, and so, with the mails by Suez, Australia would secure a fortnightly communication with Great Britain. The service connecting with Australia could join on at the Manukau, and the passengers and mails could be delivered in Australia, either at Melbourne or Sydney, in about five days; mail steamers going on from Auckland to Wellington, from Wellington to Lyttelton, and from Lyttelton to Otago, where they would find dock accommodation. Otago is the only port in New Zealand where a dock is available, and it is impossible to suppose that, without a dock, New Zealand can be made the terminus. I do not know whether honorable members realize the importance of making the Colony the terminus of such a line of steamers. The mere question of a port of call, where the passengers go ashore to buy wines and cakes, or go to an hotel to have dinner, and perhaps to an outfitter to obtain a few clothes which they have forgotten to bring with them, is altogether insignificant beside the question of the very large expenditure which would take place in the Colony if it were really made the terminus of the line. At any rate, I do not wish to enter into any question about the relative merits of the different ports of call. It seems certain that Auckland can be reached sooner from Honolulu than any other port in New Zealand except Russell; and therefore the earliest telegraphic information would be available to the Colony by the establishment of Auckland as the port of call. As to whether the letters will be delivered quite as soon, I think we may be content to leave that an undecided question. If the letters were to come down, as they do at present,

by the West Coast, from the Manukau, in two days, which was the time occupied on the last occasion, they would reach Wellington as early as they could if there was a direct service. I question whether it will be quite as rapid a service if the mail steamer itself goes on, because, by the East Coast, the passage is longer between Auckland and Wellington. But the question, whether Wellington, Christchurch, and Otago would obtain their letters a few hours earlier, would not, I think, have any importance beside the fact that the passengers would be able to be deposited almost at their doors, without any change of vessels, and would, also, be able to commence their passage in the vessel which would take them to their destination. There would not be the slightest difficulty whatever in getting thirteen services a year out of two steamers, and although I believe it would not be practicable, except in rare cases, to obtain the return of post in three months, it would be a very easy thing to do it in four months. But, after all, it is not a convenience for persons to receive their letters at night and have to answer them by the mail in the morning. There is another consideration, which is of some little importance, and that is that, in the event of a direct line being established, great facilities will be afforded for the carriage of gold to America; and I am strongly of opinion, without professing to have much knowledge of the subject, that it may prove to be desirable to send our gold to America. We know that what goes on in the exchange world is briefly this, to put it in a very rough form: That England consumes a large amount of bread-stuffs from America, and, in return, a great deal of gold is sent to the United States. We know, also, that we consume a large amount of manufactures from great Britain, and that we have to send gold home in payment for them. If, by sending our gold to America, we paid for the goods we receive from England, and England paid for the bread-stuffs received from America, we should be carrying out what is the simplest form of that most complicated and difficult system known as the system of exchange. I am not able to inform the House what is the balance of trade between England and the United States. I am under the impression that a considerable amount of specie is annually shipped to America, and, if so, it would be a very good plan to adopt, to send home a portion of our gold by the United States. As to the blank in the resolution, the Government propose to insert £40,000. That is the amount which we ask the House to authorize us to contract for, but that amount to be reducible by such sums as can be obtained from the Australian Colonies.

Mr. HALL.—For how long?

Mr. VOGEL.—That is a question we have not yet considered, nor do I think it is one which we can consider at the present time. I should be willing that we should only contract for a short time, in order that the House may have an opportunity of reconsidering the question, should such be deemed necessary. In fact, I would have it that the payments be made out of money to be voted by the Parliament. I do not think that a

service of so large a nature as connecting New Zealand with Honolulu, for which vessels may have to be built, or considerable outlay otherwise incurred, should be dealt with finally now, without giving honorable members an opportunity of reconsidering it. I shall not state to-night how long we propose that this £40,000 a year should be granted for; I only ask that an amount shall be placed upon the estimates, to enable the Government to pay for the service during the current year—such a sum in fact as may be available for five or six months of the current year. If the House adopts these resolutions, it will be sufficient indication to enable the Government to come down with a statement as to the time. Now, what does this £40,000 mean? From such an amount, if paid, will have to be deducted the sums obtained from Australia; it will include the interprovincial service required to carry up and down the Californian mails; it will include the payment to America for territorial and ocean carriage, and set free the amount derivable in connection with the English post office. The present payment to contractors is £15,000; the interprovincial service amounts to £7,000, making £22,000; and, I believe, the Government of New South Wales, from what I see in the newspapers, is prepared to make a contribution of £10,000 per annum. That would make £32,000, which would only leave £8,000 as an inducement to continue the service down the coast of New Zealand. Honorable members will, of course, recollect this, that the calculations last year set out, irrespective of the new service to California, that the estimate for the conveyance of the mails by the Suez route would be £26,000 per annum.

Mr. HALL.—£23,600.

Mr. VOGEL.—I thought the estimate was £26,000.

Mr. CRACROFT WILSON, C.B.—What is the cost of our letters to Honolulu from Auckland?

Mr. VOGEL.—The contract is to San Francisco from Auckland. The United States, under the convention with America, will be able to make three distinct and separate charges from Honolulu to England. We could pay the American Government to put the mails down in America, or to carry them from Honolulu to San Francisco, or from San Francisco to New York, and thence to London; but our contract with Mr. Hall is to deliver our letters in San Francisco. The contract with Mr. Hall is for £15,000, and the interprovincial service is between £7,000 and £8,000. Honorable members will see that, by the new route, we shall reduce our contribution to the Suez route, which is only paid in proportion to the letters sent. This £40,000 would be reducible by such an amount from the neighbouring colonies and from the mother country, as would make the amount payable by the Colony, probably, about £25,000 per annum. I think that a mail service *via* America, and entirely in the hands of the Colony, would be cheaply purchased at that rate. It is the most desirable service that New Zealand can have,—more desirable than that by Suez, or

Torres Strait, or the Cape. I should not conclude these remarks without saying that it is exceedingly gratifying to know that the first advances made by this Colony to that great country, the United States, have been received in so friendly a manner. It seems marvellous that, notwithstanding Mr. Gray's brief stay in Washington, which only extended over six or seven days, he should have been enabled to make arrangements by which this Colony is placed in business relations with the whole telegraphic system which connects America with Europe and Great Britain, and to arrange an outline for the establishment of a money order system. Even the President of the United States was good enough to see Mr. Gray, and the postal department made out, in three or four days, the draft of a convention with New Zealand, and sent it down for our approval. Honorable members who read the papers will see that, with the exception of the clause relative to obtaining a contribution from the neighbouring colonies for carrying their mails, the draft convention has been returned approved of, as it was sent. In conclusion, I think I should apologize to the House for having detained it so long, but had this question been discussed at an earlier period of the session, I should have spoken under less necessity for curtailing my remarks, and I should probably have spoken for two or three hours. As it is, I consider that the desire of the House is that I should make my remarks as brief as possible, and I have endeavoured, therefore, to avoid taking up time unnecessarily. I hope honorable members will agree with me as to the desirability of retaining the service in our own hands, and will also agree with me that we can do so without prejudice to our loyalty to the empire. Whilst desiring to continue a member of the British empire, we should avail ourselves of the opportunity of being placed in friendly relations with a country the example of which must be most beneficial to us, and which has given evidence of kindly feelings towards this Colony. I would fill in the blank in the resolution as regards time by "one hundred hours," as the distance *via* Napier is longer than by the West Coast. I would also make the resolution read, "to increase the present mail subsidy so that it shall not exceed £40,000." The Committee may, at the same time, accept the qualification that from that amount should be deducted the contribution received from the neighbouring colonies, and that such amount should be paid on the understanding that we should be relieved from the American charges. Of course, the whole matter will come under consideration again in Committee of Supply. If the honorable member for Clutha wishes it, I will alter the resolutions.

Mr. MACANDREW was quite prepared to accept the alteration, and make the total amount £40,000, but as regarded the time, he thought ninety hours would be quite sufficient. When he had moved the resolutions originally, he was about proposing seventy hours. The "Airedale" made the voyage a few days previously in ninety hours, and the vessels subsidized would doubtless be of a far superior class. However, he would not raise

any objection to the time being extended to 100 hours.

Mr. FITZHERBERT was not going to enter into the question raised. He had listened attentively to the remarks of the honorable member, and having expressed his opinions upon the subject on a former occasion, he had seen no necessity to alter them since; but when it came to that portion of the resolution in which they were asked to vote £40,000, and to place power in the hands of the Government to arrange so very delicate a matter, it seemed a strange inconsistency to ask them to go into details. Having agreed to give the Government £40,000, he thought they should also give them power to arrange, as regarded the time, whether it should be seventy, ninety, or one hundred hours. If the resolutions were to mean anything, he did not think that they should make it binding on the Government to carry out matters of detail in a certain manner. If the contractors found that they could not comply with the terms of the resolutions—and it was well known with what difficulty it could be arranged to leave port at a particular time—in what position would the Government be placed? It would be better, in his opinion, that no details were entered into in that respect. He thought that in doing so they would be going in two opposite directions—giving a large power on the one hand, and going into matters of mere detail on the other. If those details could not be complied with, it would give rise to considerable difficulties between the Government and the contractors. Again, it seemed to him that if they were to use the words "intermediate ports," however much the inhabitants of the unfortunate town of Wellington might be open to censure for their rude conduct, and however guilty they might be of thinking their own place of the greatest importance—a weakness incidental to great, if not to most, natures—he hoped that the Colonial Treasurer would not be hard upon them in consequence.

Mr. VOGEL.—The honorable member will see, if he turns over the newspaper files, that I am described, at the meetings, as a most shocking character.

Mr. FITZHERBERT said that might be the case, but it was found in all countries—and this country was no exception to the rule—that the inhabitants of every place attached to it a certain amount of importance, more, perhaps, than it deserved. At the same time, in alluding to the intermediate ports between the first port of arrival and last of departure of the mail, it would be satisfactory to know what those intermediate ports were to be.

Mr. VOGEL.—I am not responsible for the wording of the resolutions. I am willing to alter them and submit them in a more specific form. The word "intermediate" is not intended as any disrespect to Wellington.

Mr. FITZHERBERT said that, as the honorable member had adopted the resolutions of the honorable member for Clutha, perhaps he would have no objection to insert the words "Wellington and intermediate ports."

Mr. MACANDREW was quite willing to accept that alteration.

Mr. FITZHERBERT disavowed any intention of narrowing down what might be of advantage to the whole Colony, and looking at it in the light of a matter that acted beneficially for one place in particular. Where one place was served he believed it was for the good of the whole. As he had said in his original remarks, he thought it was much wiser and more advantageous to have a direct instead of a branch service. He had given some attention to the subject, and he believed that New Zealand would be all the better for having a direct service, and if they could secure cabin accommodation for passengers at a reasonable rate, it would be a matter of congratulation to the Colony. He was not quite sure that it was absolutely necessary, at present, that very large steamers should be placed on the line. They might come afterwards, but the more simply the service was commenced, the more would the system gradually develop itself, until it became of that extent and importance which might ultimately be deemed essential for the necessities of the country.

Mr. STAFFORD.—The main objection I have to these resolutions is the money to be paid for it. I do not see why so much money should be appropriated for the service. I have listened to the Colonial Treasurer, and I have also heard what has been stated by the honorable member for the Hutt, but I have failed to perceive what was meant as between a direct and a branch service. I have listened to the explanation of the honorable gentleman, and it seems to me that this is but a branch of a branch service after all. We are to tack on at Honolulu, and that is only part of the way between New Zealand and London. I have also listened attentively, expecting to hear some explanation as to the difference between a direct and a branch service; but it may be owing to my obtuseness that I am unable to understand the distinction. The P. and O. steam service is merely a branch service, and I have not heard of that being objected to in Melbourne. It is a branch of a branch service. The whole of the Australian service is a branch service. In my opinion, a branch service is a very convenient service. In the warm latitudes the service has to go through, instead of its being an advantage to carry, in addition to the New Zealand passengers, the Australian passengers, it would be an advantage to get rid of them at Honolulu. The accommodation would be better, as also the means of attendance, than could possibly be afforded in a crowded steamer. If honorable members mean that it is to be a service that would terminate at New Zealand, they should use more intelligible terms. If they mean that the steamers are to stop in New Zealand, and take in coals and supplies, and be repaired, if necessary, I could understand it, as it would cause the expenditure of money; but what is meant by the loose terms of a branch service and a direct service I cannot understand. It is all a branch service. You only go to Honolulu; you have got to tranship there, and tranship again on the other side of America.

I do not see any objection to transhipping at all. I have travelled across to London by the Peninsula and Oriental Company's service, and came back again with three transhipments, and the most comfortable part of the passage was when being transhipped. There was no responsibility on the part of the passenger; that was attended to by the officers of the ship. You found the ship all ready, clean, coaled up, and waiting for you. If what is meant by a direct service as opposed to a branch service is that the steamer is not to go beyond New Zealand, to get supplies here and repairs done—that, in short, it is to be a terminal service in New Zealand—that would be intelligible. I have no sympathy as between one port or another; I care not for any port except that which will enable the service to be performed at the least cost to the country. Why should I care? Why should my constituents care the least about the port of call? Whatever service gives them their letters in due time at the cheapest cost is the service they will approve; whether it involves calling at Russell, Bay of Islands, Auckland, Wellington, or Dunedin, will be a matter of indifference to them; and this ought to be the feeling, and I take leave to say is the feeling, of every person in the Colony excepting those who are connected with the particular port about which the question is raised as to whether it is to be the port of call. I can understand the feeling between Auckland and Wellington, and also as to Dunedin or Port Chalmers: I can understand that; it is intelligible. It is not of the least consequence to me whether some persons on the other side of a chain of mountains are to get their letters earlier or later than I should get them, provided there is ample time given to all to answer their letters. Nothing is more contemptible, puerile and childish, than the squabbling as to one port getting the letters a few hours sooner than another, when ample time is given to all to answer by the return mail. I may state that that service which is the cheapest will command my vote. I have no objection to this particular route. It may calm down some jealousies. If it affords Wellington, or any other intermediate port, any gratification to see the steamers stop there for a few hours, well and good, but I do not see any other advantage to be gained from it. The only objection I have to the proposition in its present shape is as to the total amount of expenditure. The amount of £40,000 is an unnecessarily large sum, at the same time I am not prepared to say that we can insure, at all events for the first year or two, that the service can be started for less money; therefore I shall not take the responsibility of proposing an amendment upon that sum, because I believe that the country is anxious to see a service started by way of America. For a year or two, the sum of £40,000 will have to be paid by this country. The country having made up its mind to have the service, must put its hands into its pockets to pay for that service. Means may be taken, by way of contributions from other colonies, to make that amount less. The conduct of Victoria in regard to this service

has been anything but creditable to her; and even New South Wales appears to be shilly-shallying with the service, although she behaved well as to the Panama service. I think New Zealand has a right to turn round now and say to Victoria, "We will not send a letter of yours by this mail service to America unless you pay us what we have a right to expect towards meeting the expense—say a sum of £10,000 a year; we will not allow a single letter to go, and we will inflict the penalty of imprisonment on any person who attempts to carry a letter." This is the proper attitude for this country to take towards Victoria. Some such action will bring Victoria to her senses, not only with regard to this service, but also in regard to a large number of questions in which she affects to dominate and control the other groups of colonies in the Pacific. She has assumed that attitude for some time towards the other colonies, and without any pretensions whatever for so doing except that her population numbers some 200,000 souls more than the population of the other colonies. If in office, I should take this line of action towards her. I would not allow her to send a single letter; I would shut her letters out. She took exactly the same line towards South Australia when the Suez steam mail service was started. Victoria seized her letter boxes, and would not send them home. South Australia appealed to the "big mother," as she was then called at home, and she said she could not interfere—that the mails were not in the custody of her officers; and the consequence was that South Australia was obliged to contribute to the service. We should compel Victoria to contribute to the service by similar action. We should take the same course with regard to the customs duties. I should give certain notice, so as not to inconvenience commercial men, and if she did not lower her duties on certain articles the produce of New Zealand, we should not allow a single pocket-handkerchief to be landed from Victoria. The time is fast coming when that will be the attitude which the colonies will take towards each other. When there is any attempt on the part of any of them to dominate over the other, we must assume the attitude of an independent country. I would be firm with Victoria from the first in regard to this matter, and say that not one letter, book, or parcel would be sent unless they paid a certain sum down. I would name the price to them, and they would very soon find themselves obliged to find the money. Pressure would be very soon brought on the Victorian Parliament by the merchants of Victoria, who could not afford to be shut out from the American market when other places were enjoying that advantage. At present, they make use of our service while they sneer at it and give nothing towards its expense. I shall not divide the Committee on the question of expending £40,000 a year, although I think it is paying very dear indeed for our whistle. I hope the negotiations of the Government will enable the service to be carried out for a smaller sum. I think the service is much more likely to be economical if the Government are not

trammelled by precise conditions. Beyond a maximum money payment, I think the Legislature would be wise not to limit the Government with precise conditions, because, if the contractors know what those conditions are as well as the Government themselves, they would endeavour to take advantage of them, and would thus prevent the Government from making those arrangements which are best calculated to promote the interests of the Colony. It is always unwise for the Legislature to attempt to limit the action of the Government with precise conditions in making such arrangements.

Mr. TAYLOR would not have said a word upon this question, but for the remarks which had fallen from the honorable member for Timaru; but he felt bound to rise to enter his protest against the doctrines enunciated by that honorable member. To his mind, the motion of the honorable member for Clutha was objectionable on several grounds, and, among the minor reasons, was the offensive form in which the first resolution was couched. The first resolution stated, "Seeing that neither of the Australian colonies has become a party to the San Francisco steam contract, and that New Zealand has been left single-handed to initiate this line, the Committee is of opinion that, in the future conduct of the service, this Colony should look to its own interests exclusively." In other words, that they should be guided solely by a view to their own interests. No one supposed that, in their past efforts, they had been guided by any other motive—they had always looked to their own interests; but it was idle for them to pretend to ignore the existence of a million and a half of people in Australia, or to imagine that they could establish a mail service with San Francisco unless the service was so regulated as to suit the convenience of the Australian trade. He need not say to the House that the resolutions of the honorable member were antagonistic to any such arrangement as that. To make New Zealand the terminus of the line, or to make the steamers perform a coasting service of 700 miles in addition to the ocean service, was to set aside any idea of an arrangement being made so as to suit the requirements of the Australian trade. According to his view, what New Zealand required was a nine or ten knot service, performed by vessels of sufficient power to insure regularity in the performance of the contract and of sufficient size to suit the convenience of the Australian and New Zealand trade, and selecting such a port of call as would suit the convenience of trade, and, at the same time, insure the most rapid distribution of the mails over the whole Colony. An honorable member cried "Wellington." A deputation from the people of Wellington, who waited upon the Colonial Treasurer to point out to him the advantage of making Wellington the port of call, was rebuked by that gentleman. He (Mr. Taylor), however, would stand up in their defence. They had advocated the port of Wellington as the port of call, from a conviction that it would be of advantage to other parts of the Colony as well as to themselves. He

could not vote for the resolutions, because he thought that the Hall contract was a mistake on the part of the Government. If they shut out the Australian trade, they would not get for £40,000 such a mail service as they expected and desired to obtain.

Mr. BORLASE differed a little from his honorable friend who had just sat down. He did not object to New Zealand being the terminus of the service, and he did not think that £40,000 a year would be too large a sum to pay for it, though perhaps England and America might say, "These are young cocks to crow so loudly." If they could do it it would be a great thing for so young a country to accomplish; but he said the other terminus should be San Francisco, and not Honolulu, even though it should cost £10,000 a year more. A great deal had been said about the through traffic to England, but to his mind the extension of the line in the way he had proposed—right through to San Francisco—was more important than merely carrying mails, as it would bring them in direct communication with one of the most progressive states in the world. Their object should be to secure direct commercial intercourse with America, and that could not be done by means of a branch line from Honolulu to New Zealand. Let them have the terminus at San Francisco, in order to secure the trade which they had not got at present, but which he thought would be found far more profitable than the trade with England. The commerce between San Francisco and New Zealand ought not to be impeded by the transhipment of the goods *en route*. He believed such a service would pay, and pay largely, if it were carried right through, so as to avoid the transhipment of goods. Having said this much with regard to their own service, he did not think it likely that anything they might do in that direction would have the effect of preventing a large steam service from being established between Melbourne and Sydney and San Francisco, for he believed that such a service would be carried out in spite of them. Then again, there was a probability, if this line were not established, of a line being established from San Francisco *via* Honolulu and Fiji to Australia. In the event of that line being carried out, they could subsidize a branch steam service to Fiji, which would cost only some £5,000 instead of £50,000; but he thought it would be more advantageous to this Colony if they could have a service of their own direct to San Francisco. He was sorry that the Postmaster-General should have felt annoyed at the people of Wellington; but he (Mr. Borlase) contended that the people of Wellington had a right to stand up for their harbour, which, not only from its convenience and accommodation, but from its geographical position, was the best adapted of any in New Zealand for a central port of call. Auckland, on the other hand, said theirs was the best place, and Otago said Port Chalmers was the best. Whatever the people of Wellington said in that direction, they endeavoured to show that they thought this port the best of all in the Colony for the steamers to arrive at; but that would not justify them in disparaging other

ports in the Colony, and any persons who did so did wrong, for it was no part of the duty of the people of Wellington to say anything in disparagement of other ports of the Colony. Let others set forth the efficiency of their respective ports for this particular service, and let the people of Wellington do the same. They had a right to assist themselves, but they had no right to abuse others for assisting themselves also. He should support the resolution as far as it went, but he thought it ought to have gone further. He was certain, in his own mind, that if the matter was taken up boldly, and the means were placed at the disposal of the Government to carry the service right through from New Zealand on the one side to San Francisco on the other, they would make a great advance towards securing the trade of the American nation with this country.

Mr. VOGEL.—I wish to make a few remarks in reply to the observations of the honorable member for Timaru. The Government has taken up positive ground with reference to the colony of Victoria. I hold in my hand a letter written to the Postmaster-General of Victoria, in which I wrote:—

"I have the honor to inform you that I am of opinion, that until your Government are sufficiently impressed with the value of the service *via* San Francisco to be willing to make the small contribution of £6,000 per annum asked, your department should abstain from using it. I hope, on consideration, your Government will recognize that it is in no unfriendly spirit that this Government is constrained to come to the conclusion that it cannot agree to convey mails or correspondence by this route to or from non-contributing colonies on such arrangement as the Chief Secretary proposes."

It is almost amusing to observe the course taken by the Colony of Victoria. On receiving that letter, notification was issued, stating that no letters would be sent on by the Californian route, because the Government of New Zealand had not acceded to the Victorian Government's terms. The people of Victoria were led to suppose that the Government of New Zealand were asking something unreasonable, and that, therefore, the communication was to be stopped. I have no doubt that in time the truth will be known in Victoria, and that public opinion will assert itself in the direction indicated by the honorable member for Timaru. We cannot prevent mails being sent by way of Sydney; but by the clause which is introduced into the Post Office Act, No. 2, power is given to make all vessels deliver up the mails they have on board, so that the mail boats will not be at liberty to carry mails beyond the Colony without the permission of the postal authorities. The clause enables the Government to exercise a power similar to that which exists in Great Britain. Then we take power, in the event of other colonies not contracting, to refuse to carry their mails; and there is an extra clause in the convention which has been sent to the United States, to the effect that, in making any contract, the United States shall agree with New Zealand, that if any colony refuses

to join New Zealand in the subsidy, her mails shall not be sent on by the mail boats. I need not go into the question as to the course which should be taken in respect to the trade with Victoria, because I do not exactly agree with the honorable member, that Victoria has behaved in so very unfriendly a manner. That she is very restrictive in respect to commercial arrangements, I am free to admit, and that some of her Governments have been hostile to New Zealand I am also free to admit; but I cannot forget that when the people of Taranaki were in a state of great distress, the people of Victoria contributed very willingly to their relief. Victoria has always shown the greatest willingness to assist New Zealand in cases of war, and I believe the Government were willing, about eighteen months ago, to send over volunteers to assist us in the war, as well as to part with the troops stationed there. They were also willing to part with a large number of persons—perhaps not a very desirable class—to act as part of the general defence force for New Zealand. On the whole, I am inclined to think that such unfriendliness as may have been shown to New Zealand has not been the result of any desire to be unfriendly to the Colony, but has resulted from the very restrictive commercial policy of Victoria, and the very stringent manner in which that Colony thinks it necessary to assert its claims to consideration over any of the other colonies.

Mr. HALL.—I think it is inconvenient that the Committee has to approach the consideration of the proposition as it now stands, at so comparatively short a notice. The proposition has undergone very considerable change since it was first placed upon the order paper. We have only just heard that we are to be asked to vote £40,000 instead of the £15,000 we are now paying, and the £25,000 which was suggested the other evening by the honorable member for Clutha. For my own part, I think that, after this proposal on the part of the Treasurer, and the implied admission that the present contract will fall through, it would have been better if the House had had some time to think over the matter before it came to any decision. There seems, however, to be an inclination to settle the question at once, and, therefore, I will say a few words upon it before a decision is come to. As the Colonial Treasurer has referred to the manner in which he carried out the resolution of last session respecting this mail service, I must make a remark upon that subject. I am disposed to view the conduct of the honorable member in the matter very favourably, because I cannot forget that he is, as it were, a convert to the opinions which I endeavoured to impress upon this House last session. It will be in the recollection of the Committee that last session the honorable member was a very earnest advocate for the Torres Strait service, and that it rather fell to my lot to advocate the San Francisco service as opposed to the Torres Strait route. I am glad to find that the Colonial Treasurer has come in to the view which was adopted by a majority of the Postal Committee, and has gone so heartily into the

question of the establishment of a postal service with the United States of America, which must bring us into close commercial connection with so important and thriving a community. I think that credit is due to the honorable gentleman for taking up the matter with so much promptitude and zeal, and, therefore, if I cannot altogether approve of the actual steps which he has taken, I am sure that he will not imagine it is because they are the steps of gentlemen with whom I have not always been able to agree upon political questions. The honorable gentleman has made his contract very quickly, at an astonishingly cheap rate, and stipulating for a very rapid service; but when we have said that, we have exhausted the advantages of that contract. In making a contract for an ocean mail service, we should not only consider the cost of the service and the rapidity with which it is undertaken to be performed, but also the chances of that service being a regular and a continuous one. That depends, to a great extent, upon the character of the contractor—whether he is a man who fully understands his subject, and has the means to carry out his engagement. In both of these respects the impression is, and I think it is a correct one, that this contract is entirely wanting. The contractor, Mr. Hall—as there are more persons than one of that name I speak of the gentleman in question as Mr. Hezekiah Hall—who calls himself American Consul at Sydney, it is doing him no injustice to say, is not a man of means. As to his credit, we may judge from the fact that he could not even hire steamers in Sydney without previously mortgaging the subsidy which he was to receive from this Colony, and, without obtaining, moreover, an advance from the Postmaster-General of New Zealand on account of the subsidy expected to be paid by the other colonies, but which has never been received. I must say, also, with regard to the contract itself, that it appears to me to be exceedingly loosely drawn. I have seen a great many postal contracts, and the honorable member must have had several before him, but I never saw one so badly drawn as the present contract. As far as the contract goes, there is nothing to prevent the merest cockleshell of a vessel being sent to sea. I think it would have been better if the honorable member had been a little less rapid and a little more careful in his operations. If I had been in his place, I think I should, in the first instance, have taken the steps which are necessary to release New Zealand from her partnership in the Suez service. Now we are bound to the Suez service until we give two years' notice in London of our wish to withdraw from it. Until we have done that we are bound to contribute to that service in proportion to the number of letters we send by it. The first step should have been to give this two years' notice. Then, Sir, before I actually made a contract for the postal service, I should have endeavoured to obtain some kind of pledge from some of the Australian colonies that they would contribute something towards it, and not have made the contract first, and, when they see there is to be a mail service under

any circumstances, then ask them for some contributions. We all know that in public undertakings carried out by means of contributions from a number of persons, it is very much easier to collect subscriptions before the thing is undertaken than afterwards. If the various individuals who are likely to participate in the benefits of an undertaking know that, unless they contribute, they are not likely to see it established, they will be more likely to come forward with contributions than if they know it will be established whether they subscribe or not. I cannot help thinking that the honorable gentleman should have gone to Victoria and New South Wales, and said, "We are going to put an end to our partnership in the Suez line, and we will be content to do what we have several times been told by the Imperial Post Office we should have to do in case we ceased to be partners in that service, namely, pay upon each letter we send the exact proportion of the cost of its conveyance." We have been told by the Imperial Post Office, years ago, that if any of the Australian colonies refused to contribute to the Suez service, their letters would be charged at the rate which the other letters actually cost for conveyance. I think that would come, in our case, to something like 1s. 3d. or 1s. 6d. for each half-ounce letter. Now, if we had said to them, "We are content to do that, and, on the other hand, it is only fair you should pay in the same manner on letters which you send to San Francisco; we will divide the total subsidy we pay by the number of letters, and thus find out what it costs us to carry each letter, and then ask you to pay the same," I believe, from experience I had in Victoria, in 1867, that there would have been no insuperable difficulty in coming to such an arrangement. That being done, I do not think even then that it would have been wise at once to enter into a contract; we should have endeavoured to obtain contributions from another country also affected by this service, namely, the United States of America. The Government of that country admits that it would be a great advantage to them, and, armed with the contributions of the other Australian colonies, it would have been wise for the Government of New Zealand to have sent an agent, or even one of themselves, to obtain contributions from the United States, and also to see what contractors there were in America who could and would contract for the service. I think, if that had been done, we should perhaps not have had the matter settled quite so speedily, but the settlement would have been much more satisfactory. Our present position is, that we have not been told distinctly by the Colonial Treasurer what the result of our contract is likely to be, but we may almost infer, from the manner in which he has received the proposal of the honorable member for Clutha, that he believes it will fall through. I have taken the trouble to pick out from the papers on the table the actual results of the service as far as it has gone at present. I have no account of the last voyage, but that is one of the worst. The time allowed by the contract, from Auckland

to San Francisco, is twenty-five days. Now, on the first voyage, the time actually occupied thirty-three and three-quarter days; on the second voyage, thirty-three and a half days; and we all know that the last trip occupied even a longer period. From San Francisco to Auckland, the time allowed is also twenty-five days. The first voyage was performed in twenty-eight and a half days; the second, in thirty-one and a half days; and the third in thirty-four and three-quarter days. According to that, we are at present paying for what we are not getting. We are paying for a ten knot service, and we are barely getting an eight knot service. It appears to me, therefore, that we are in a very unsatisfactory position. There is another unsatisfactory feature about the present arrangement. It does not give us time to reply by return of post. There is nothing gained by accelerating the mail steamers from one port to another, unless you are thereby enabled to send a letter to a given place and receive a reply within a diminished time. It is not much use getting letters, say, on the 10th of the month instead of the 15th, if you still cannot send an answer before the first of the following month. But the contract vessels are so timed now, that, according to the time table, they are to arrive in Auckland on the 3rd of the month and leave on the 7th. If they do arrive with punctuality, that will certainly give a reply to the people of Auckland but not to the rest of New Zealand. Probably the Government have not been able to make any better arrangement, on account of the boats having to turn round at Honolulu and come back again. Of course, if they run right through to San Francisco, you can make them leave and arrive at Auckland on whatever day you like. Another objection is, that we are not getting any contributions, and do not seem likely to do, either from Australia or the United States, under this arrangement, as we did not make any arrangement for the purpose beforehand. It is true, the Colonial Treasurer has taken very stringent measures with the other colonies, but I do not think they have any right to complain. I agree with the honorable member for Timaru, that they have not behaved well in the matter, and, so far as they are concerned, they have no right to complain of the stringent measures the honorable gentleman has adopted. But that is not all. Will those measures really place us in any better position? In the first place, it will not be possible for the honorable gentleman to prevent letters from Australia being sent by our steamers. I remember that, when a discussion upon a similar subject was going on with the Imperial Government, after endeavouring to find out what would be the best way of treating the colonies who refused to contribute to the cost of the Suez line, the conclusion they arrived at was that the best, although not an effectual, way, was to treble the postage upon all letters posted to go by any particular mail steamer during the time the mail steamer was in port. They knew perfectly well that if a particular colony, say Sydney, was not allowed to send mails by steamer

calling at Melbourne, letters would be sent, under cover, to persons in Melbourne, to be posted there. That was done to some extent when the Panama boats were running; but an arrangement was finally come to for the conveyance of Melbourne mails. You cannot prevent it. This is the position in which we now find ourselves. We are in constant danger of this service breaking down. What position shall we be in if Mr. Hezekiah Hall is unable or unwilling to send another steamer? It is not merely that we shall have to send our mails from New Zealand by Suez, but there will be mails left in California waiting to be forwarded to New Zealand without any means of forwarding them. We shall be placed in a most unsatisfactory position should such a contingency arise, and I therefore think we should ascertain at once whether Mr. Hezekiah Hall will be able to go on with his contract. I object to the language of the resolution of the member for Clutha, to the effect that the service should terminate in New Zealand, and that we must have it all to ourselves. The wording of the resolution is, I think, a matter of regret. It says that "this Colony should look to its own interests exclusively." That, I do not think, is language which it is desirable to place on our journals. The resolution proposes to stop the mail steamers in New Zealand, this Colony paying £40,000 for the service. Substantially, I must repeat what I said on this subject the other evening. From the low rate of speed which practically will result from this service, the advantages of postal communication by way of America will be, to a great extent, lost. If you submit to a low rate of speed, you will find that you will get your letters *via* Melbourne and Suez much sooner. It is true the honorable member speaks of a ten knot service. Do honorable members know what that means? They will find, if they inquire, that the P. and O. Company are not doing a ten knot service on any line on this side of Suez. Though they receive a very large sum of money, they have but a nine and a half knot system. The distance from Ceylon to Sydney is given, in the time table which I hold in my hand, in miles, not knots, and it is not even a ten mile service. The return voyage is made with more speed, because, from Cape Leuwin to Galle, the south-east trade wind is favourable for the steamers. The efficient boats employed by the P. and O. Company do not, except to Alexandria, attempt ten knots an hour. It is an exceedingly high rate of speed, and no boats will be secured that would perform such a service for £40,000. Now as to the distance. From the tables, I find the distance between Sydney and San Francisco is about 7,000 miles, and between New Zealand and San Francisco about the same distance as between Sydney and Point de Galle. Surely it will not be contended that there is likely to be more traffic from New Zealand across the Pacific than between Sydney, Melbourne, King George's Sound, and Galle. While we propose to give our boats but £40,000, the P. and O. Company, for the same distance, receive a subsidy of £130,000. When they had done it for a considerable time

the service was thrown open to public competition, but a company who took it up completely failed. It was found of not the least use to throw the contract open to public competition with the view of getting lower tenders. Is it likely that where £130,000 is paid for a service at nine and a half knots an hour, you will succeed in getting a ten knot service over the same distance for £40,000? I do not believe you will get any responsible contractor to take it up, and, should any one do so, that he can possibly succeed. I have no doubt it might be advantageous to have the terminus in New Zealand—more particularly for Port Chalmers; but it would not be of much importance otherwise, and if that advantage could be obtained for a sum we can afford to pay, I should have no objection to it. But I do not think we can purchase it on reasonable terms. We are throwing away a large source of profit by stopping at Port Chalmers. I doubt if passengers in Sydney, who can get into large boats to go by Suez, would get into small boats to go by San Francisco. The Government may fairly say to me, in reply to these objections, "What would you suggest instead of the arrangement now proposed?" I would say to Mr. Hezekiah Hall, if he does not carry out his contract better than he has done, "You must give us a guarantee for the due fulfilment of the contract," and, if that guarantee cannot be given, put an end to the contract. Then make a temporary provision for conveying the mail to Suez, terminate the Suez partnership, and make a proposal to the Australian colonies, saying, "We will contribute to the Suez service according to the actual cost of conveying our letters, and we ask you to contribute on the same terms to the San Francisco service." I think, if the matter were put fairly to the colonies in this manner, that arrangement would be accepted, and we should be enabled to establish a service jointly with America and Australia. It has not been put to them before in that light. In making arrangements for a new contract, I would not look merely to Mr. Webb. I would send an agent to America, and see what other contractors there are with whom we can deal. You must have American vessels if you are to have an American subsidy. It is visionary to suppose that they will accept any other vessels. They are giving a subsidy of 400,000 dollars because they are desirous of fostering their mercantile marine. They will not give you a single cent towards any vessel that does not sail under their own flag. I must add, although it may be unpalatable to some members that we should not look with entire contempt on a branch service from Fiji. Honorable members will find, by looking at the chart, that they would probably get their letters very speedily by a service *via* Fiji, because the vessels calling there would be part of a direct line to the Australian colonies, and would be large and powerful steamers, and go at a greater speed than any boats likely to be obtained for the service to New Zealand. The House appears to receive the proposal of the Government with so much favour that I shall content myself with raising my voice against it;

but I think that the arrangement will break down. You cannot, for the sum of £40,000, get a service from America terminating in New Zealand, and carrying your mails at anything like the speed which is indispensable to make it a satisfactory postal communication. We should look to the certainty, at no distant date, of direct postal communication being established between America and the Australian colonies, and, instead of attempting an exclusive line of our own, we should rather aim at co-operating with Australia and the United States in a joint service.

Mr. BUNNY said that the honorable member for Heathcote and the honorable member for Wellington (Mr. Taylor) objected to the words of the resolution, but he saw nothing in them of an offensive character. What did it say:—

“Seeing that neither of the Australian colonies has become a party to the San Francisco steam contract, and that New Zealand has been left single-handed to initiate this line, the Committee is of opinion that, in the future conduct of the service, this Colony should look to its own interests exclusively.”

He agreed with the wording of the resolution. So far as that went, they had opened negotiations with the Australian colonies and they had refused to assist them, and they had consequently a perfect right to look after their own interests exclusively. He did not at all object to those words appearing in the resolution, for, taking them with the context, they could not be offensive to any of the Australian colonies. He objected to the expenditure of £40,000 on two grounds. First of all it was not enough, and in the next place it was too much. It was not enough to secure that which would be of the greatest benefit to this Colony if they could afford to pay for it, namely, direct communication between New Zealand and San Francisco. What was wanted to be of real benefit to the Colony was a mercantile communication with America, and not a mere mail service. They wanted ships by which their wool, gold, and flax might go direct to America, and if the Government could only see their way, even by increasing the amount, to secure that service, he would be prepared to support them in that direction; but the resolutions of the honorable member for Clutha, if carried, with the subsidy proposed by the Government, of £40,000, would fail to give to us what we really required. It was nothing after all but a branch mail service between New Zealand and Honolulu. They could secure the whole benefit of that service by communication between New Zealand and the Fijis. There would be a line between San Francisco, calling at Honolulu, Fiji, New Caledonia, and also at Sydney and Melbourne. They would have the advantage of communication with the United States if they but managed the line from New Zealand to the Fijis. The Fijis would answer all the purposes of a coaling station, but, by an expenditure probably of £10,000 more than the sum proposed, they could secure an efficient mercantile service direct to San Francisco. Unless the Government could secure direct communication with San Fran-

cisco, he should not support the vote of £40,000 simply to secure a branch service between New Zealand and Honolulu. He would increase the subsidy beyond £40,000 for the advantages of a service between New Zealand and the Fijis, which would be of more benefit to the Colony.

Mr. DRIVER was very much pleased with the explanations and statements given by the Postmaster-General on the question, but the honorable gentleman must not take credit to himself that the existing arrangement had given universal satisfaction, especially in the part of the country from which he (Mr. Driver) came. In the consideration of the larger proposals submitted to the House, this question had been more or less neglected, and the House had scarcely paid any attention to the subject whatever. He was not prepared to condemn the honorable gentleman for entering into this contract; it was necessary to act at the time, and his promptness would lead to good results. He believed it was worth the money which was given for it, but it did not satisfy the demands and expectations which had arisen with respect to our connection with California and the United States. He did not intend to occupy the time of the Committee in criticising the contract which had been entered into, because they had got it for good or for bad; nor did he think it necessary to go into the character and position of the gentleman by whom that contract had been taken. He did not think it was expected by the House or the country that every person who took a contract from the Government did so with that patriotic feeling which was supposed to guide the actions of honorable members of that House. If Mr. Hall carried out his contract, the House had no right to complain; and, if he did not do so, the Government had power to cancel it. He found, from the printed correspondence upon the subject, that the Postmaster-General was in a position to cancel the contract. Mr. Hall had not kept the time specified, but had entered into arrangements for conveying the mails from Honolulu to San Francisco without the authority of the Government, and therefore the contract might be cancelled. He thought, however, that the Government had done well in waiting to hear any suggestions which the House might make upon the subject. He would say no more about the contract, but would as briefly as possible state his opinions with regard to the proposal before the House, and the objections which had been raised by several honorable gentlemen. His own impression was that the Colony received no material return from the expenditure of the £15,000 except the absolute carriage of letters. It was essentially a branch line. Any profit which was derived by the terminus was taken by the Colony which had refused to contribute any portion of the expenditure. If they continued to make the line one only touching at New Zealand he would give his vote for making Wellington the port of call, as being the most convenient place. Were they now in a position to organize a line to San Francisco that might be called a New Zealand line? He contended that the time had arrived

for making such arrangements. He did not agree with the remarks of the honorable member for Timaru, who could see no return or advantages to be gained by the proposed line. He thought that the advantages which this country would derive—and he said so with all modesty—from its connection with America within the next few years, would be of considerable importance, and would infuse new life into New Zealand. They should not send out of the Colony the profits which were derived from a service of which it paid the entire cost. He did not approve of those petty jealousies which hindered every project—the jealousies as to which Province received less or more benefit; this feeling had interfered with much useful legislation, and he feared would continue to do so. The Province of Otago contributed one-third of the cost of the line, and had expended £50,000 for a dock at Port Chalmers, and therefore he did not think that the General Assembly should be led away by these miserable petty jealousies, and send profits out of the country, when they had a port with appliances and machinery, and which was capable of enjoying those profits. He did not believe they wanted the class of boats described by the honorable member for Heathcote. He did not think the honorable member had correctly described the class of boats now running between Suez and Sydney; they were much inferior to those which formerly ran there. The P. and O. Company had a monopoly, and any one competing with that line must make it a through service from England to Australia. His own impression was that, for the £40,000, a sufficient number of boats of about 1,800 tons each could be obtained to run from San Francisco to Port Chalmers. He knew, from the feeling of the people of Otago, that they were willing to subsidize a boat from Port Chalmers to Melbourne, to be connected with the mail steamers. An expression of opinion to that effect had been given in the Provincial Council. He was satisfied that the present line would never answer the purpose, and he was glad the Government were in a position to cancel that contract or make a better one if they saw their way to do so. He was entirely in favour of their changing the port of call to Wellington, unless some such arrangement as now proposed was made. He believed it could be done—that the contract would be taken up in the Colony. He knew sufficient of the commercial relations between Australia and the west coast of America to believe that Victoria and Sydney, at least, would be forced to contribute a fair share of the cost of a mail service, if we refused to take their letters in case they did not do so. He did not anticipate that there would be any break down or difficulty in the matter. He was prepared to vote for the £40,000, and leave the Government to make the best arrangements they could. The Government had now a good knowledge of the feeling of the people throughout the country, and he had no doubt they would make such arrangements as would be satisfactory to the whole Colony.

Mr. VOGEL did not agree with the honorable

member as to the feeling existing among merchants in this country. Suppose that a number of merchants met together, and said they did not like the service—that would be no proof that the service was unpopular. He told the honorable member that the feeling in Otago was one of general satisfaction. He believed the honorable member was one of the very few members in Otago who were prepared to oppose the service. While the service was being condemned by implication, he (Mr. Vogel) would stand up for it.

Mr. DRIVER thought he had been very moderate in his remarks regarding the existing contracts, and he did not think that the honorable gentleman had understood him. He said that there were objections to the line. There was no denying the fact that the line was not a popular one, but, at the same time, it was worth the money that was given for it, and would lead to good results.

Mr. VOGEL said the time would come when it would be a popular service. Even the mails by the last month's steamer, which broke down at Honolulu, arrived at Dunedin as soon as the mails by the Suez service; and, as the House had prevented the Government from contracting with Victoria for a continuation of the Suez service, had there been no Californian service established, there would have been a failure of communication altogether with Melbourne. The House had set its face, last year, against continuing the subsidy for the service between New Zealand and Melbourne. The only other port in the Colony that could be taken was Port Russell, but, as that obviously would not answer, there was no alternative but to go on to Auckland. That being the case, he asked honorable members whether, when the Government was able to obtain a mail service for so small a sum as £15,000, it was not prudent to make the contract?

Mr. DRIVER did not blame the honorable gentleman for not making the best arrangement he could at the time, but it did not follow that the line should be popular, or that it was for the benefit of the whole Colony. He did say, without condemning it at all, that, in its present position, it was not a line adapted to the wants of the Colony.

Mr. VOGEL.—Perhaps he had misunderstood the honorable member. He believed that it was a contract which had done more to raise New Zealand in the estimation of the outside world than anything else that had been done for it. It showed that New Zealand had the right stuff in her, and it had given her a better standing in the United States than anything else that had been done. The honorable member for Wairarapa said it was only a branch service to Honolulu, but there was no reason why it might not be continued by the same steamers to San Francisco. The fact was that they paid a subsidy for the service to Honolulu, and the United States paid for it on to San Francisco, but it did not follow that it might not be continued by the same steamers. Then, with regard to the branch service to Fiji for £10,000, his opinion was that if New Zealand paid for a branch service,

other colonies should be left to arrange for the main line. With regard to the objections of the honorable member for Heathcote, it was notorious to the House that it was impossible for that honorable gentleman to see any merit in a contract if it were not drawn up in the same form as somebody else had before drawn up a contract. It must be written on the same office paper, with the same office ink, and tied up with the same official red tape, or the honorable member would see no merit in it. He (Mr. Vogel) did not see why the name of the contractor should be made the subject of ridicule.

Mr. HALL.—He did not in any way make it the subject of ridicule. He only introduced the Christian name for the sake of distinction.

Mr. VOGEL.—If he were condemned to bear the name of Hall, he should prefer the prefix Hezekiah to that of John.

Mr. HALL.—It was simply to avoid confusion that he introduced the Christian name.

Mr. VOGEL.—I can assure the honorable member that there is not the slightest resemblance between the men, for Mr. Hezekiah Hall is rather a fine, handsome-looking fellow. The honorable member says the contract is an exceedingly loose one. The fact is, it was so stringent that the contractor's lawyer advised him it placed him entirely at the mercy of the Government. I do not say a wealthier contractor would not have been preferable. It was a matter of going on with the contract or not, and I did think it advisable to go on with it. The honorable member has told us he would have preferred not going on with it, and would have landed the country in the position of not having any such service; but I leave the House to decide, with all the contingencies of breaking down, and everything else, whether we have not done better by getting this contract. It is costing the Colony nothing; we are not losing by it. The carriage of mails to and from home is as cheap, and I am not certain whether it is not cheaper, than it has been by the Suez route. The honorable member for Heathcote has carried his notions to a most singular length. He says we should not have entered into the contract without immediately afterwards giving notice to discontinue the Suez line; and yet he tells us that this contract is so uncertain that our mails may be left behind at San Francisco. Because it would have been an ordinary official course, he would have given notice to discontinue the Suez line before entering upon this one.

Mr. HALL.—The honorable member misunderstood me. I said I would have given the notice before making any fresh contract. I did not say before entering upon the contract with Mr. H. Hall. I stated I never would have entered into this contract because it is so likely to break down.

Mr. VOGEL.—The honorable member was good enough to say, at the end of his speech, that he would advise the contract with Mr. Hall to be brought to an end, and would advise also that notice should be given to discontinue the Suez line, so that the Colony would have no service to fall back upon.

Mr. HALL.—I told the honorable member that two years' and a quarter's notice had to be given, and that he would have that time in which to make fresh arrangements.

Mr. VOGEL.—I am quite aware of that. I want to know what is the disadvantage of the Suez contract as it stands? Every letter we send by the San Francisco route is so much off the price we pay towards the Suez route. There cannot be anything less desirable than to discontinue the Suez service, as we are merely charged in proportion to the number of letters we send, and if there are none sent, there will be nothing paid. If we send ten letters we pay in proportion to the rest sent by Victoria; and why it is so urgent to give notice to discontinue the service I am unable to tell. The honorable member said I should have pledged the Australian colonies to contribute, before I made the contract. But that was simply impossible. The Australian colonies were not favourable to any contract being made, if they had to contribute, and it will only be because pressure is brought to bear upon them, as alluded to by the honorable member for Roslyn, that they will be induced to contribute. If New Zealand had waited to initiate such a contract until it found it was favourably entertained by the Australian colonies, it would have had to wait a long while. New South Wales discouraged it, because she desired to get the Torres Strait route; and Victoria discouraged it, because she preferred lines *via* Suez and the Cape. The honorable member talks about the time of the arrival and departure of the vessels. That is simply owing to one vessel having to go to Honolulu and turn back again. With regard to the honorable member calling the service a failure, on account of the length of the passages, I do not think he is quite correct in so doing. The passages have been somewhat long, but the honorable member himself explained that we should have to pay a very heavy price for a service with ten-knot steamers. By a report received from the mail agent who last came down, the passage appears to be:—Auckland to Honolulu, 3,983 miles, seventeen days two and a half hours; rate of sailing, 9.7 miles. That is not a bad rate of sailing, and it is one with which the Colony, I think, has no right to be dissatisfied. I think that even if the contract had been made in the most official style possible, you could hardly have secured a more favourable result. Then, from Honolulu to San Francisco, an accident happened to the steamer; but on the return from San Francisco to Honolulu the rate was 9.3 miles. On the way back from Honolulu to Auckland one of the engines broke down, but the rate was 8.93 miles, which, considering the breakage, I think honorable members will admit was a very good rate indeed. The boats on the line—the “Wonga Wonga” and “City of Melbourne”—are looked upon as amongst the best in the Australian colonies, the former having at one time, I believe, proceeded to Galle. I will not contend that more suitable boats cannot be constructed, especially as they have to pass through the tropics. The boats were very much crowded on the two first pas-

sages, and naturally there were other disadvantages at first. I believe somewhat exaggerated expectations were entertained at the commencement of the service, and there were ideas that it would be possible to have boats of 3,000 tons carrying 800 passengers—a thing which I think is preposterous in the present state of traffic between the two countries. The honorable member said it would improve our position to take stringent measures, and that Australia would evade the payment of the postage by sending her letters to New Zealand.

Mr. HALL.—The honorable member again misrepresents me. I said the mercantile public of Australia would send their letters under cover to their correspondents in New Zealand to be posted in New Zealand ports.

Mr. VOGEL.—Such an attempt to evade the postage would be a prosecutable offence. Those who attempted to send letters in the vessel without their passing through the post office, would certainly be liable to a penalty.

Mr. HALL.—I did not say the letters would be sent without going through a post office. I said they would be sent through the post office, addressed under cover to Smith or Jones, in Wellington or Auckland, and would be posted in New Zealand for their destination. That has been done to a considerable extent.

Mr. VOGEL.—I do not think the merchants of Melbourne would be content to address their letters to Smith or Jones in that way. I think they would be likely to strengthen the Government of New Zealand, and to say "They ask very moderate terms and we must pay." The fact is, there is a disposition already shown on the part of New South Wales not to make any other arrangement than that of one settled contribution, and to make the Government propose a subsidy to the Assembly. I saw, too, by the newspapers, that Queensland had undertaken to contribute the amount which was asked—£5,000. The honorable member for Heathcote asked what we would do if the service should break down? I am quite free to admit that some inconvenience would result on account of the mails at Honolulu accumulating; but I have no fear that the service will break down; and if it should, a boat would be sent to Honolulu to bring back the mails from there. I believe the service could not be abruptly terminated. Of course, if the Government are only placed in possession of limited means, it may be difficult to continue it; at the same time, I have no desire to ask the House for large means, because I am aware, the moment we put down a large sum, it will be expected that we shall pay the whole of that sum. I am sorry the honorable member was not able to take a more generous view of the subject. In the report of the Postal Select Committee last year, which the honorable member drew up, he did not think it extravagant to propose £20,000 for an intercolonial and interprovincial service, of which he estimated £6,000 would be paid by the Imperial Government.

Mr. HALL.—Will the honorable member be kind enough to read the passage in the report;

it states that the Committee abstained from making any recommendation as to which of the services should be adopted?

Mr. VOGEL.—The report states that the question is mainly one of expense—that is, as to whether the Colony should pay £30,000 for two services or £20,000 for one.

Mr. HALL.—The honorable member has a most convenient practice of reading figures as they are not. It is £14,650. £20,000 is without deducting the Imperial contribution.

Mr. VOGEL.—The Imperial contribution is put down as probable, and it was purely problematical as to whether we would get it.

Mr. HALL.—The honorable member cannot be aware of the facts of the case. The Imperial Government is under a pledge to make that contribution, otherwise it would not have been put down in that report.

Mr. VOGEL.—I am very much mistaken if the Imperial Government has not given notice to discontinue the amount.

Mr. HALL.—The honorable member is mistaken.

Mr. VOGEL.—Why did the honorable member put it down as probable if it were certain?

Mr. HALL.—Because the exact amount could not be ascertained.

Mr. VOGEL.—However, there is no doubt the recommendation was to adopt either one or the other, and the estimate stated for the Suez service was £26,000. It is quite true, as stated by the honorable member, that I was not favourable then to the Californian service. It never struck me as possible to obtain such a service for anything like the amount for which it has been obtained. The report of the Select Committee just referred to ends by saying that the opinion of the Committee is that such a service might be obtained at a largely extra cost to what was being paid then: that is to say, taking the £14,000 and £26,000, about £40,000. Now we come down and ask only £40,000 for this service, to be reducible by any contributions obtained from the Australian colonies; and we are to get this service into our own hands, if we are able to carry it out, instead of the disjointed service proposed last year. I think it desirable that there should be no mistake about this matter. There should be something definite in the resolution as to the time over which the contract should extend, and as to the reduction on account of contribution by the Australian colonies. Therefore, I shall propose a separate resolution to this effect:—"The Government shall not contract to make such payment for longer than three years after the ratification by the General Assembly of New Zealand, and such payment shall be inclusive of any contributions paid to New Zealand by the colonies of Australia and Tasmania."

Mr. MACANDREW did not think it would serve any good purpose to prolong the discussion on the past. The past could not be undone, whether it was right or wrong, and he ventured to submit that the Committee would do well to confine itself to the future. The resolutions had been very fully discussed, and the proposal was

fully understood by the Committee. He was perfectly willing to fill up the blanks with "100 hours and £40,000," and insert the words "the ports of Wellington and Lyttelton" in lieu of the words "intermediate ports."

Mr. BRANDON said the Colonial Treasurer had, in a measure, satisfied one of the points to which he (Mr. Brandon) had intended to allude, which was, that the time should be fixed for which the contract was to be entered into. The Government had, it was clear, adopted the resolutions as their own, and he must say that he thought they were premature in desiring to enter into any contract with their operations restricted as they were by the resolutions. Seeing that there were, at the present time, several competitors for the traffic across the Pacific, he thought it was premature to bind the Government to any particular contract. It would be better to take power to arrange for the service, without placing themselves in the power of any particular company, or defining any particular port of call, whether at the end of or during the voyage, but simply to ascertain from the competing shipmasters and owners if such a line as was required could be established with San Francisco. By such means they could get a line upon the most reasonable and most expeditious terms. There was another point upon which the Committee had not been informed, namely, whether the Government had determined to put an end to Mr. Hall's contract. He presumed, from what had occurred, that such was their intention, although they had not expressed themselves definitely upon that part of the subject.

Mr. VOGEL had already told the Committee that he could not give any definite information upon that subject. Mr. Hall had rendered himself liable for the due performance of the contract, but whether it was desirable to dissolve that contract or not was a question which must be left to the Government. He could not discuss the question as to their position beyond what had appeared in the papers.

Mr. BRANDON.—Precisely. They were asked to pass a resolution in the dark, because, if the Government made arrangements for a service such as indicated in the resolutions, in what position would they be if the contract could not be carried out? Would they have two concurrent services? In his opinion, to act on such resolutions would be premature, and he thought the Committee ought to know whether or not Mr. Hall's contract was to be determined.

Mr. PEACOCK had no objection to New Zealand becoming the terminus, but thought it should simply be a branch service. He was altogether opposed to the proposed amount, and thought that a branch line from the Fiji Islands to this Colony would be cheaper and meet all the requirements of the Colony. He did not think that £40,000 would be sufficient for the purpose of establishing a line to San Francisco, even if it was required. The boats for such a voyage ought to be double the size of those which were now in use, and of course would be more expensive to work. It was not likely that Sydney would be induced to join

in the contract, as New Zealand was out of the direct route, and consequently a great delay would occur in the delivery of their mails. He believed that Australia had not joined in the present service for the same reason, although Sydney had the advantage of being the terminus.

The resolutions as amended were reported to the House, and ordered to be considered on Thursday.

The House adjourned at ten minutes past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 24th August, 1870.

Resident Magistrates Evidence Bill—House Committee—Sale of Spirits in Native Districts Bill—Government Officers Guarantee Bill—Dangerous Goods Bill—Marine Bill—Government Insurance and Annuities Extension Bill—Third Readings—Post Office Bill (No. 2)—Turner Land Grant Bill—Curator of Intestate Estates Bill—Payments to Provinces Bill—Hawke's Bay Renewal of Licenses Bill—Payment of Common Jurors Bill—Immigration and Public Works Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

RESIDENT MAGISTRATES EVIDENCE BILL.

The Hon. Mr. SEWELL moved, For leave to bring in a Bill to facilitate the taking of evidence in Resident Magistrates' Courts. There were cases in which witnesses lived at a distance, and could not attend without great inconvenience and expense. The object of the Bill was to make provision for such cases.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

HOUSE COMMITTEE.

On the motion of the Hon. Dr. BUCHANAN, it was ordered, That the name of the Hon. Mr. Mantell be discharged from the House Committee, and that that of the Hon. Mr. Bonar be added thereto.

SALE OF SPIRITS IN NATIVE DISTRICTS BILL.

On the order of the day being read for the committal of this Bill,

The Hon. Captain FRASER wished to point out to the Hon. the Colonial Secretary that the existing Sale of Spirits Act, which it was proposed to repeal, was at the present moment strictly in force in the Provinces of Otago and Canterbury. With the permission of the Council he would read a telegram which he had just received from the resident magistrate at Waikouaiti, the principal Maori district in Otago. "I am not aware that publicans supply Maoris with spirituous liquors. In this district, if they do so, they are liable to an information for a breach of the Spirits Ordinance." That Ordinance was strictly enforced in the Middle Island, and operated beneficially. He

was sure that the Hon. the Colonial Secretary was too humane to wish to sacrifice the interests of the harmless Maoris of the Middle Island for the sake of some chieftains in the North Island. He trusted that the honorable member would either withdraw the Bill altogether, or make it applicable to the North Island only.

The Hon. Colonel RUSSELL said that when the Bill was brought in, his honorable friend Colonel Kenny and himself had objected to it as being inefficient in its character and not calculated to strike at the root of the evil. They had, subsequently, had an interview with several Ministers, including the Defence Minister. As it appeared that the Hon. the Defence Minister had brought in the Bill to operate in peculiar cases which had fallen under his own observation, it seemed to be undesirable that it should be interfered with. He had been anxious to have seen a clause introduced to have checked the evils which he had spoken of upon a previous day as arising in the neighbourhood of towns, but it was pointed out that such a clause could scarcely be inserted in the present Bill. He was not sure that power did not exist, under the present Licensing Act, to carry out his views, and, under all the circumstances, after consulting with the Native Minister, the Colonial Secretary, and the Minister of Justice, he had come to the conclusion that the best course he could take would be to leave the Bill altogether in the hands of the Government. The Hon. the Native Minister had evidently given a mature consideration to the subject, and any interference on his part might injure the objects that honorable gentleman had in view, without, at the same time, giving effect to his own views.

The Hon. Dr. BUCHANAN said that although he thought that any special legislation for the Maoris as against the Europeans was unadvisable under ordinary circumstances, still, if the statement of the Hon. Captain Fraser, that the present Act was in force in Otago and Canterbury, was correct, it ought not to be repealed.

The Hon. Colonel KENNY would suggest that the further consideration of the Bill take place in Committee, when the Hon. Captain Fraser could except Otago and Canterbury if he desired to do so. He was sorry that it was necessary to repeal the Ordinance because effect was not given to it in the North Island, thereby creating a contempt for law on the part of the Natives. The honorable gentleman might accept the assurance that it was desirable to make some new provision with respect to Native districts in the North Island. He believed that the Government would admit that the Bill was not as perfect as they would themselves desire, but they would like to see what effect it would have. It could do no possible harm, and might be productive of some good. It was true that the Northern Island was differently situated from the Southern Island in respect to the Native population, and there was not the same probability of difficulties arising from the effects of intemperance.

The Hon. Mr. GISBORNE said that there was a clause in the original Sale of Spirits Ordinance which enabled the Government to suspend its

operation within certain districts, if it was desirable to do so, on account of Native feeling or other reasons. The Government did not object to the converse of that action in this Bill: that was to say, that although the Ordinance might be repealed, the Governor should have power to put this Bill into operation where it might be desirable to do so.

The Hon. Mr. LEE said that he could confirm what had been stated by his honorable friend Captain Fraser, that the present Act worked uncommonly well in Otago and Canterbury. In Canterbury the provisions of the Act had always been in force, and had worked satisfactorily. He should be sorry to see the Act repealed, because it was one of the last upon the Statute Book which showed that there was some care being taken to preserve the Maori race.

The Bill was then considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

GOVERNMENT OFFICERS GUARANTEE BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, remarked that he would explain the reason why it had been introduced. It had been the practice with regard to Government officers to require them to enter into security for moneys intrusted to their care. For some time it was the practice to require bonds from private persons. The officers, at that time, had to induce their friends to enter into bonds on their behalf for a specified amount. That practice, however, was found to be inconvenient. Sometimes, when those persons who had given bonds died, the Government were not aware of that fact. In some cases, they became insolvent and even if it was deemed necessary to enforce the bonds, it was a difficult task to do so against the friends of those persons who were required to find security, the fact being that the persons who became sureties acted without receiving any consideration, and merely placed themselves in a position of responsibility from a feeling of friendship towards the officers. Subsequently, a system sprang up by which private societies, on certain terms, entered into bonds on behalf of the officers, and the officers had been mulcted to a certain extent, and had to pay the premium out of their salaries. That system had also been found to work very inconveniently. Those societies gave security, but, on the other hand, a constant and careful supervision was necessary to see that the premiums were paid; and, again, protracted negotiations sometimes took place before the officers were enabled to induce societies to advance the required security. In October last, when the subject was under consideration, he got a board appointed, which sat, and reported upon the question. The permanent heads of each department were on the board, which recommended, and he thought the idea was a good one, that the officers should be required, not to enter into bonds, but to be mutually liable for each other, namely, that if any defalcation took place, a call in proportion to the salaries of the officers should be made.

That was the manner in which it was proposed to meet any defalcation which might occur. The board which was appointed went into a calculation in order to see whether, if the proposed system had been adopted during the last seven or eight years, the officers who had had to enter into bonds, would have been in any better position. The board found that, under the proposed system, a saving on behalf of the officers would have been effected, because, instead of being called upon to get bonds, they would have been merely called upon, in the event of any defalcation, to meet it in proportion to the salaries which they received. There could be no doubt that it would have been a great gain to the Government officers if the proposed system had been adopted, instead of the system under which they were required to enter into securities in connection with public companies, and to pay away a certain amount of their salaries annually in premiums. It was, therefore, now proposed that the system of giving bonds should be dispensed with, and that the officers themselves should form a sort of mutual insurance society. In connection with the establishment of a fund there was a great difficulty. If it was required that the officers should pay a certain amount towards the fund, and to make that fund liable, a difficulty would arise regarding the distribution of the surplus of the fund; it was, in fact, almost impossible to say how the surplus of the fund should be apportioned, and, besides, there was a chance of the accounts becoming complicated, and the trouble of keeping and supervising them; whilst, under the proposed system, those difficulties would be obviated. Officers who had money in their hands would be placed in the same position as those who had not; and any officer who had money in his hands would know that any dereliction of duty on his part—although it might not, at the time, be brought under the notice of the Government—would very probably be detected by his brother officers. He would not be watched by them in an invidious manner; but, under the proposed system, a feeling would be created that there was a sort of supervision being kept on the part of the officers themselves. It was impossible for the Government to follow the officers into private life. They did not become sudden defaulters, *nemo repente fuit turpissimus*. When those who might be tempted to commit an offence were, in a manner, subjected to the control of their brother officers, they might, by receiving good advice, be prevented from doing so. The principle, he was aware, was somewhat novel in connection with Governments, but he believed it had been enforced by banks and other private institutions. They had a fund, but in this instance the Government did not intend to establish a fund, but simply to hold the officers liable in proportion to their salaries.

Mr. BONAR said it was not his intention to oppose the second reading of the Bill, but he desired to point out that there might be some injustice done to persons who had been in the habit of finding bonds through insurance companies. In many cases those companies which

gave bonds to the officers of the Government had also held out inducements which resulted in some of the officers insuring their lives, and when they did so, and the two things were taken together, a considerable reduction was made upon the premium. He presumed, however, that now the effect would be that the officers would have to contribute under the Bill, and, at the same time, they would have to pay the increased rate for insuring their lives, consequent on ceasing to guarantee with the same company. Therefore, the system might press heavily on those to whom he had referred. Probably, when the Bill was being considered in Committee, some exception would be made in favour of those officers who might be labouring under such a disadvantage. There was another matter to which he desired to allude. There were some officers who would be obliged, under the Bill, to contribute to the guarantee fund who received very small salaries, such as sheriffs. In some cases those officers were paid by fees, which amounted to only a very small sum, and yet they would be equally liable.

The Hon. Mr. GISBORNE.—Clause 6 of the Bill says that it shall not apply to sheriffs.

The Hon. Mr. BONAR apprehended that, when they received fees, they would be made liable for their proportion of the losses, under clause 6, however small the sums which passed through their hands might be. He had looked through the Government Annuities Act to see if any provision was made to combine this Bill with it as regards life insurances, but he did not see that such was the case.

The Hon. Mr. MANTELL did not think that there could be any immediate necessity for an Act of this kind, as all the Government officers who were required to give securities must have already done so. It was iniquitous to propose that all officers should alike be liable. The Hon. the Colonial Secretary looked forward to training the members of the civil service into a practice of mutual espionage. He differed from the honorable member, and would rather train them to act like gentlemen in their public duties, as they were expected to do, and as they did, in private life. He was sure that the honorable gentleman could not seriously have considered what he was saying when he proposed that, from mere motives of prudence, the officers of the Government should watch each other, and inform against each other. He thought that no harm would be done if action upon the matter were postponed until a more equitable proposal could be made. He objected altogether to the system of tale-bearing and dishonorable spying upon each other. He would move, as an amendment, that the Bill be read a second time that day six months.

The Hon. Mr. SEWELL said that this was one mode of providing a machinery by which the Government service might be facilitated, and a benefit, at the same time, conferred upon the civil servants. At present, when they were appointed to certain offices they were called upon to give security, which they might not be able to do without placing themselves under dis-

advantages, or being obliged to contract liabilities with assurance offices. Under a system of mutual guarantee they would be relieved from those burdens. He was satisfied that those who had considered and reconsidered this measure, and who might be said to represent the civil service generally, had the interest of the service really at heart, and it would be scarcely right to reject a proposal which was so recommended.

The Hon. Dr. BUCHANAN said that after the remarks of the Hon. the Minister of Justice he should consider it to be his duty not to support the amendment of his honorable friend Mr. Mantell.

The Hon. Mr. SEYMOUR said that the Bill involved a principle which they should very carefully consider before they accepted it. It seemed to be a very doubtful and undesirable principle, to make those who were honest suffer for the dishonesty of their fellow-officials. He could quite recognize that there might be considerable difficulty in the present mode of assurance, but that might, perhaps, be got rid of without departing from the broad principle that every man should suffer for his own actions. There were many officers who had no opportunity of making defalcations, and who were, therefore, not called upon to find securities, and under this Bill they would be placed at a great disadvantage. They would be liable to have calls made upon them to make up for the result of offences which they could not possibly commit, and which might have been committed by officers over whom they could not have the least control. He considered that that was a very objectionable principle to establish.

The Hon. Colonel KENNY said that as the Bill was introduced by the Hon. the Colonial Secretary, who took a great interest in the civil service, it came to him with a very strong recommendation. He should move that the debate be adjourned until next sitting day.

The Hon. Mr. WATERHOUSE said that the principle of the Bill seemed to him to be a most desirable one, and, so far as the second reading was concerned, he was prepared to support the measure. He thought that the plan which had been drawn up might have been improved, if it had been more closely assimilated to the system which was in operation in the banks. The operation of the proposed law would be very unequal. At the present time, persons in certain departments had to find a larger amount of security than those who were in other departments, because large sums of money passed through their hands, but for the very reason that they were required to give a higher security, they received an increased rate of pay. It was now proposed that all persons should be alike liable, and yet the increased rate of pay would remain with the officer in the case to which he had referred, although the responsibility was divided amongst his fellow-officers. It would have been well to have grafted this Bill on to the Annuities Act, so that a certain amount might be required from each officer proportionately to the responsibility of his position, which might be paid into the bank until a large sum had accumulated. The

objection of the Hon. the Colonial Secretary, as to what was to be done with the money when it had attained certain dimensions, might be easily met by providing that officers should, after a certain number of years' service, be no longer required to make the payment. He saw that the present proposal must be, to some extent, a relief to the officers of the Government, as many of them had to pay premiums to the assurance companies for guarantees; but it was still open to this objection—that it diffused over the whole service a responsibility which was now attached to particular offices. He trusted that the Bill would not be hurriedly proceeded with in Committee, but that the Government would take into consideration the propriety of engrafting this Bill with the Annuities Act, and, also, whether it would not be well to withdraw it for the present session, with a view to the preparation of a more complete measure, which would meet the requirements of the service.

The Hon. Mr. GISBORNE said that the Bill had been very carefully considered. The proposition was considered by a board, consisting of, among others, Mr. Seed, Mr. Batkin, and Mr. Woodward,—old officers in the service. They proposed the plan of mutual assurance, without any fund, as a much better system than that at present in force, and better than that which prevailed in the banks. It was not likely that those gentlemen would propose anything that would be degrading to the civil service. The subject had, no doubt, been canvassed amongst the civil servants, and he had not heard of any objection being raised. In a bank, every person who handled money had to contribute to a guarantee fund, which was maintained for the purpose of meeting defalcations. He saw no objection to every officer in the Government service being liable, in proportion to his salary, for any defalcations which might take place. If the system did not work well the old method might be reverted to; but it did work well where a mutual fund was created, and he did not see why it should not work equally well where there was no fund, and where a certain amount was payable by every officer. In the banks, every person had to contribute his quota, and was liable for the sin of his fellow officer, but in this case no one was called upon to contribute unless a defalcation actually took place. The same principle ran through both cases, as an officer was sometimes vicariously punished, and he did not see how that could be avoided. He could not agree with his honorable friend Mr. Mantell, that the Bill was likely to cause members of the civil service to act as spies upon each other. That would be the abuse, but there was a healthy supervision which officers could exercise upon each other quite apart from any mean system of espionage, and that was what was hoped for as one of the results of the Bill. Ministers who exercised patronage would be liable, and would thus have an additional reason for being careful in any appointments they might make. Heads of departments were also liable, and it would be to their interest to exercise greater vigilance and supervision. The new system, so far from having

the effect suggested by the honorable gentleman, would create a very wholesome *esprit de corps*. The details of the Bill could, of course, be altered in Committee. With respect to the suggestion made by the Hon. Mr. Waterhouse, that the insurance system should also be applied to guaranteeing the fidelity of Government officers, he supposed that it might be made applicable to fires, or to wrecks, such, for instance, as the wreck of the "White Swan." It was a question for consideration how far the sphere of operations of that kind should be extended. The Bill would attain the same object in a simpler manner. He felt that great credit was due to the members of the New Zealand civil service for the very few crimes which had been committed by members in it of the nature of defalcations. If there were a fund, it would soon increase to a large amount, and it would be difficult to know what to do with it, but that objection was obviated by this system.

The Hon. Colonel KENNY would ask leave to withdraw his motion for adjournment, as he had only made it to prevent the sudden consideration of the amendment proposed by the Hon. Mr. Mantell.

Leave was given, and the motion withdrawn.

The Hon. Mr. MANTELL would also ask leave to withdraw his amendment.

Leave was given, and the amendment withdrawn.

The Bill was read a second time, and ordered to be committed on Friday.

DANGEROUS GOODS BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that the first clause was to remove doubts which had arisen with regard to the interpretation of the word "petroleum," and the second clause proposed to give to the police the powers which were exercised by inspectors of weights and measures.

The Hon. Mr. MANTELL would ask the reason for the dangerous alteration which had been made with respect to the flashing point, which was fixed last year at 110°, after careful consideration, and which was since considered to be perhaps too low a standard? If the flashing point were reduced to 100° we should have all the rubbish in the neighbouring colonies sent down here. He was informed that 100° was the standard fixed by the English Act, but he was also informed that that was probably a clerical error.

The Hon. Mr. GISBORNE was glad that the honorable gentleman had called his attention to the subject, because he had not been made aware that the flashing point was reduced. He supposed that, in the hurry of the moment, the Attorney-General had forgotten to draw his attention to the fact that 100° was fixed, but of course an alteration could be made if it was considered necessary. He would make inquiries upon the subject, the results of which he would state in Committee.

The Bill was read a second time, and ordered to be committed on Friday.

MARINE BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that some considerable difficulty had occurred, under the present Marine Act, with reference to exemptions from pilotage, as all vessels, of whatever size, were charged pilotage. The owners of vessels were compelled to take out certificates for masters of vessels, and a fresh certificate when the masters of vessels were changed. It had been productive of so much inconvenience that the Government found it necessary to alter the practice. This Bill would remove any doubts which existed, and would give legal effect to the change. There were some clauses at the end of the Bill which were copied from the English Merchant Shipping Act, with respect to inquiring into whether vessels were properly provided with lights, and with the means of making proper signals. Those clauses had been introduced into the Bill so that they might become the law of the Colony.

The Bill was read a second time and ordered to be committed next sitting day.

GOVERNMENT INSURANCE AND ANNUITIES EXTENSION BILL.

ADJOURNED DEBATE.

The Hon. Mr. GISBORNE said he still entertained the belief that this Bill, if passed into law, would be of great use in connection with the introduction of immigrants into this country, but, in the face of the opposition which the Bill had met with, he did not intend to press it.

The Bill was discharged from the order paper.

THIRD READINGS.

The Married Women's Property Protection Bill, the Marlborough Sale of Reserves Bill, and the Hawke's Bay and Marlborough Rivers Bill were read a third time and passed.

POST OFFICE BILL (No. 2).

The Hon. Mr. GISBORNE said he proposed to add another clause to this Bill, the effect of which would be to inflict a penalty in respect of the transmission of parcels of letters from a non-contributing colony, and which letters would be posted here to be forwarded to their destination by one of our subsidized steamers.

The third reading of the Bill was fixed for next sitting day.

TURNER LAND GRANT BILL.

The Hon. Mr. JOHNSTON, in moving the second reading of this Bill, said its object was to provide for a grant of 400 acres of land in the Province of Taranaki to Major Turner. That gentleman presented a petition to the House of Representatives, and the petition was referred to the Petitions Committee, who recommended that the prayer of the petitioner should be granted. Major Turner was well known to a large number of honorable members, and he believed that they, like himself, thought that, in granting the prayer of the petitioner, the Council would only be doing an act of justice on behalf of one who, as a military man, in the service of his country, had done

that which must always command their respect and admiration. Major Turner, who had been an officer of the 65th Regiment, came to this country about twenty years ago, and, in connection with the company of the regiment to which he was attached, in the North Island, he had done his duty exceedingly well. He was himself aware that at one engagement in Taranaki Major Turner was several times wounded, and he believed that in the despatches of the commanding officer Major Turner was specially referred to as having done his duty remarkably well. He had married in the Colony, he was residing here, and might be considered, in every sense of the word, a colonist. He believed that, if the Bill were passed, it would be generally admitted that no grant of land had ever been more deservedly made.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

CURATORS OF INTESTATE ESTATES BILL.

On the motion of the Hon. Mr. SEWELL, the report of the Committee appointed to prepare reasons for the Council still insisting on their amendments was agreed to, and the report, together with the amendments and the Bill, were ordered to be transmitted to the House of Representatives.

PAYMENTS TO PROVINCES BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that having, in moving the second reading of the Immigration and Public Works Bill, stated the principle on which this measure was founded, he would not now trouble the Council with any lengthened remarks. He would merely repeat that the principle was the substitution of a capitation allowance for the present moiety of the customs revenue paid to the Provinces. The capitation for the present year would be £2 per head, which would be reduced by 2s. a head annually, until a minimum of 30s. was reached. Special allowances were also made to the County of Westland, Auckland, Hawke's Bay, Taranaki, and Wellington; and it was also intended to place a special sum on the Appropriation Act this year for Westland, and also to allow that County to use, for other purposes than railways, any proportion accruing to it out of the railway fund for the Middle Island. The other part of the Bill was to provide for a contribution to road boards of £50,000 a year, which was to be taken out of the consolidated revenue, and divided amongst the several Provinces according to their respective populations. That sum would be divisible amongst road boards for the first year, according to a plan to be submitted by the Superintendents, and approved by the Governor in Council, who might amend such scheme if he chose. After the first year both Houses of the Legislature were to have the power of division as to the distribution of the allowance; in fact, they were to take the place of the Governor in Council,

the plans being submitted to them by the Provincial Legislatures. These were the two principles of the Bill, and he would not go further into the matter, having dwelt upon it fully on the previous evening.

The Hon. Mr. BONAR felt that, on the second reading of this Bill, it was necessary for him to make a few remarks, more especially with regard to the part of the country from which he came. In making those remarks, he desired, as far as possible, to look at the question, not from a sectional point of view, but considering it as it related to the whole Colony. He was quite convinced that the general principle of separating and disowning the partnership between the Colony and the Provinces was desirable, and he was prepared to go further, and say that certain Provinces ought to make some little sacrifices in order that this desirable object might be achieved; but he thought that some special provision, to a greater extent than had been alluded to by the Hon. the Colonial Secretary, ought to be made in the case of the one County which in this instance suffered, while every other part of the Colony derived a very considerable benefit. As had been stated by the honorable gentleman, this system of capitation allowance would fall very heavily indeed upon the County of Westland, and he would like to explain, shortly, the exact extent to which that County would suffer, and the very serious position in which it would be placed by the operation of the measure. On looking at the financial statement he found the gain or loss to each Province by the proposed scheme set down, and he would, for the sake of his argument, assume that the figures there set down were correct, although his own impression, derived from information furnished to him on the subject, was that the population of Westland was understated. The population stated was 13,500, and the allowance proposed to be made was £30,725, which did not include £2,700 which was to be appropriated to road boards. But the loss to Westland by the scheme might be stated at £16,400, which was money absolutely withdrawn from the revenue of that part of the Colony, while every other part of the Colony, with the single exception of Hawke's Bay, gained most materially. He found, for example, that Canterbury, the adjoining Province to Westland, gained to the extent of £25,230, while the youngest part of the whole Colony, which had to struggle with all the difficulties of opening up a new country, densely covered with bush, had to submit to this very heavy loss. In other words, he might say that, under this arrangement, the whole revenue which was available for public works in Westland was withdrawn from it. Now, looking at the question from a colonial point of view, he took this to be a very serious matter, because, when they considered that the County of Westland was contributing to the revenue in the fourth largest proportion, it must be recognized by every honorable member of the Council that the maintenance of the population there, and the encouragement of the district, was a matter of purely colonial importance. Indeed, it was impossible that that

part of the country could continue to maintain its position unless facilities were given for opening up the country and developing its resources, and that could not be done without money. He might say that, in addition to this withdrawal of its revenue, Westland had to bear, through the decision of the arbitrators, as honorable members were no doubt aware, a debt of £200,000 which more properly belonged to Canterbury, at an annual charge of £12,000. This was, of course, through its own action, and the people did not complain of it. Still, they had to suffer under this heavy withdrawal, and unless they got something like an adequate compensation from other sources, it would materially retard the prosperity and progress of that part of the Colony, and thereby, in his opinion, would inflict a great injury on the Colony at large. As an inhabitant of the County of Westland, he was quite willing to recognize what the Hon. the Colonial Secretary had said in reference to the proposed allowance; nevertheless, he felt bound to say that what was proposed was really a very inadequate compensation. The proposal, as he understood it from the honorable gentleman, was, that a special allowance of £3,000 was to be made for this year; and, also, a proposition that the money raised for the construction of railways in the Middle Island should be applicable to Westland for the construction of roads, railways not being so urgently required on the West Coast. He did feel that this was a very small allowance to the County, and he thought honorable members would agree with him in that opinion when he told them that this allowance of £3,000 would only, as nearly as possible, balance the provincial charges made by the General Government upon the County. He did not think the General Government could very well have asked the County to make a refund of those charges out of its ordinary revenue, and that would show the House that the capitation allowance, and all these extra allowances, would only exactly balance the accounts, leaving the County nothing whatever for public works. With regard to the proportion of the railway fund to be given to Westland, he felt very strongly that that was only what they were fairly entitled to, and he did not think it could be regarded in the light of any special gift to that district. He was willing to admit that it would not be desirable to undertake any large system of railways on the West Coast of the Middle Island; but he thought it had been a distinct understanding in the other branch of the Legislature that the money which was to be raised for this purpose should be divided proportionately over the whole Island. Thus, the position in which Westland was left was that the whole of its surplus money was abstracted while other parts of the Colony were benefited. He hoped the Government might yet see their way to make some more just compensation to that part of the country, as it would not be a pleasing sight to see a young and rising portion of the Colony kept down from want of means to develop the resources that were in it, which resources were, as yet, but very partially developed. There were

great difficulties in the way of opening up the interior of that district, and the gold fields had, as yet, only extended to a very short distance from the sea, the difficulty of penetrating the bush having prevented the miners from exploring the country to any distance into the interior. He was satisfied that, as yet, the gold-bearing resources of the district were unknown, and he was sure that, if facilities were given to work their way further inland, the yield would materially increase. It must be admitted that through the discovery of gold, and the large population which had thereby been introduced, the Colony had been greatly benefited and relieved, when in a condition of serious pecuniary embarrassment. It was not his intention to oppose the second reading of the Bill, as he believed it to be a measure for the general good of the country, and as such he was ready to accept it; but, at the same time, he felt that something like an equivalent ought to be given to the County of Westland to make up its deficiency. The other parts of the Colony could very well afford to give Westland that equivalent, as it would not be much from each, and where it was necessary to sacrifice a young portion of the Colony to the benefit of the whole, some greater provision than was proposed should be made for it. He thought it right to lay the facts of the case before the Council, and to say that such adequate provision had not been made, and in consequence of this an important portion of the Colony would suffer greatly.

The Hon. Mr. SEWELL said this was not the time to enter into a discussion of the questions raised in the speech of the honorable member, although it was natural that he should have addressed himself to those points in the Bill which touched the interests of the part of the country with which he was connected. They were now on the second reading of the Bill, when they should discuss its principles and not its details. Any objections which the County of Westland might have to the measure should more properly come in Committee. For his own part, he accepted the principle of the Bill with great satisfaction. He was a member of the Government when the last settlement of this question took place, when a moiety of the customs revenue was assigned to Provinces. He was satisfied at that time that such was a vicious arrangement. The system now proposed was, to his mind, a fair one. He knew no better basis for such an apportionment of revenue than population. It might be that difficulties would be found in working it out, and the interests of particular Provinces might be injuriously affected; but the moral to be deduced from that was that there was injustice in the present system. He was glad that they were about to remove from the Statute Book a law which gave the Provinces a fixed permanent interest in the consolidated revenue of the Colony, and substituted a plan by which they should receive contributions from the revenue according to circumstances. He hoped they would thus be able to approach the time when the Provinces might, through altered circumstances, or by providing for their own wants, no longer

have to apply to the general purse for contribution.

The Bill was read a second time and ordered to be committed next sitting day.

HAWKE'S BAY RENEWAL OF LICENSES BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that its object was merely to provide for the renewal of depasturing licenses in the Province of Hawke's Bay on the same terms on which they were previously held, and for a certain period. The Bill was recommended by the Provincial Council, and it was in consequence of that recommendation that it was introduced.

The Hon. Mr. WATERHOUSE wished to know the quantity of land held under these licenses, and how it was that the matter was one which could not be arranged under the provincial regulations. Another matter which he would like to have explained was, why, in case a license was put up to auction, the tenure should be for five years, and not for seven years, as in the case of a license being taken up?

The Hon. Mr. STOKES said that the runs in Hawke's Bay might be divided into three classes, a large portion being freehold, another class being rented from the Natives, and the third, to which this Bill more particularly applied, being runs held under license, of which there was but a small number, and that the refuse land of the Province, which was not worth the lowest upset price. The greater part of the land which had been held under license from the Crown, had since been purchased and become freehold land.

The Hon. Mr. GISBORNE explained that the reason why the provincial authorities could not deal with this land was, that these licenses were granted many years ago by the Governor—he believed by Sir George Grey—for a term of fourteen years, and no authority but the General Assembly could provide for the renewal of those licenses.

The Bill was read a second time, and ordered to be committed next sitting day.

PAYMENT OF COMMON JURORS BILL.

On the motion of the Hon. Mr. SEWELL, the amendments made by the Legislative Council in this Bill were insisted on.

IMMIGRATION AND PUBLIC WORKS BILL.

ADJOURNED DEBATE.

The Hon. Dr. BUCHANAN.—Sir, although I intend to support the second reading of this Bill I confess that I shall have some misgivings as to the success of the project if the Government are to carry out any of its provisions in a hurried manner; but, as we heard last night from the Hon. the Colonial Secretary that no railway would be initiated before an Act to legalize it should have been introduced, some of my apprehensions have subsided. At the same time I, for one, am not alarmed at the magnitude of this scheme. I say this advisedly, with a due sense of the re-

sponsibility which I incur by such a statement. It is not the largeness of these proposals that makes me anxious. My anxiety rather arises from the fear that they may be mismanaged. The history of the debt of Great Britain is enough to convince me that the borrowing of money for national purposes is not in itself an imprudent course. Let it be borne in mind that that enormous debt was incurred for war purposes alone, that is to say, that those liabilities were incurred by the nation from time to time, to be, as it were, cast into the sea, so far as any money value might be expected in return. In that sense, therefore, these assets were lost to her for all time. The first loan of one million was raised in 1692, and Macaulay tells us that when, some years afterwards, the amount had reached fifty millions, all prudent men, and all those whose opinions were worth having, looked on aghast, and with gloomy forebodings anticipated the future. Time has shown, however, that England has been able to bear that ever increasing burden which, during one hundred and twenty years, was heaped upon her shoulders at different times, with a strength ever increasing in proportion to the emergency. Although in 1815 that marvellous burden had attained the dimensions of eight hundred millions, yet, since then she has been able to spend at least two hundred millions more in railways, telegraphs, and other public works, whilst at the same time her wealth has become greater and greater, her taxation less and less, and her material prosperity has spread throughout the length and breadth of the land. It is true that the circumstances of the old country and the new are not altogether analogous. In the case of Great Britain the capital was raised at home, and both the principal and the interest were spent there. In the case of New Zealand, the principal will be imported, and the interest will be exported; but, on the other hand, we have this very great advantage: that the money we propose to borrow will not be sunk in war, but will be expended in reproductive works. This is a difference which is greatly in our favour. I am quite satisfied that any sums so obtained, if they are judiciously administered, will prove a safe and profitable investment. I say, "if judiciously administered"—"aye, there's the rub"—it is that little word "if" which staggers me. I have reason to fear that this money may not be properly expended. I fear, also, that the Government may, perhaps, be induced to hurry us on too fast. Let us remember that the future lasting weal or woe of New Zealand rests upon our decision at this moment. It therefore behoves us to proceed cautiously; to feel our way, step by step, and not to advance before we look forward, and make arrangements accordingly. As has been observed in another place by one of its most sagacious members, "the details are, I think, the essence of the scheme, and they will determine whether it is one of which we shall be proud or ashamed hereafter," and I agree with him. The results of railways in Southland, and the abortive attempt in the same direction in Auckland, and also the wasting of the three million loan in that Province, are

beacons of mismanagement so immediately before us, that we shall be foolish indeed if we shut our eyes to those warnings against carelessness and precipitancy. What alarms me is, that it has been given out, on authority, that Otago is to have a railway to the Clutha; that Canterbury is to have her three branches; that Auckland is to have a line to the Waikato; and that Nelson and Marlborough are also to have their lines; whilst recent rumours induce us to think that there may, perhaps, be a line from Wellington to Wairarapa, and so on to Napier, and also between Taranaki and Wanganui—all of which are to be commenced forthwith. This hasty mode of proceeding is not intimated in the Bill before us. By clause 6 "The Governor is from time to time to ascertain the opinions of the Provincial Legislatures as to the railways to be constructed under this Act, and to lay the same with his recommendations before the General Assembly. The 7th clause provides that "The Governor may from time to time cause such inquiries, reports, and surveys to be made, and such acts and proceedings to be done and taken, as he may think necessary and sufficient for the purpose of ascertaining the railways that ought to be constructed under this Act, and the mode of construction, and generally for the purpose of enabling him to make such recommendations as aforesaid, and for such purposes may from time to time employ and appoint and remove such engineers, surveyors, draftsmen, clerks, and others, as he may think fit." As I understand these clauses, they intimate that the Government will not take any action as regards railways during the coming twelve months, and that, in the meantime, they will ascertain the minds of Provincial Councils on the subject; that they will engage competent engineers to survey the country, who will draw up reports and prepare plans with a uniform gauge for each Island; and that next year a great and comprehensive system for the Colony as a whole, founded upon those plans and reports, will be laid before the Assembly, which will decide what and when are the most convenient places and times for the construction of those works. To show that I am not singular in my apprehensions that the Government may be induced to modify their plans in order to suit the game of their followers, I find that one of their staunchest supporters in another place expressed the following opinion on this subject only a few days ago. Mr. Driver said:—

"When he had first heard the proposal of the Government it pleased him and every honorable member, for they believed it was intended to form a great colonial scheme; but it seemed to him to be degenerating into anything but a colonial scheme. He believed that it would, sooner or later, be thrown down to be scrambled for, unless proper machinery were provided for the expenditure of the money. It was impossible for any Government to resist the pressure that would be brought to bear against them to spend the money improperly. The machinery of the board should be such as was adopted in other countries, and he would ask the House to assist in taking the re-

sponsibility from the shoulders of the Government, with a view to avoid the pressure that many would bring to bear, with a view of recklessly spending the money, whether the Government would or not."

I cannot, therefore, be a consenting party to permitting that pressure for the purpose of influencing the Cabinet and hurrying on the action of the Colony. Nothing can be lost by waiting a few months, with the view of obtaining information and skilled knowledge to guide us; whilst inevitable ruin must follow if the money be allowed to be frittered away in isolated spots, irrespective of one great colonial scheme. Sir, I have always done my best to keep the Ministry of the day on those benches, because I am convinced of the great inconvenience and costliness attending the frequent change of Cabinets which has been so common in New Zealand; but, irrespective of that general conservative principle which has hitherto guided me, I am a supporter of the present Government because I consider that they have already done good service to the country. I admire the boldness and comprehensiveness of their proposals, and I believe that, if they are carried out with due care and deliberation, they will be the means of extricating the Colony from the depression from which it suffers at present, and that they will also open for it a future which may, perhaps, emulate that of the great country from which we all come. What we all have at heart is the permanent settlement of the Colony in every part of it; not that every Province should dip its hand into the colonial purse, and carry away as much as it can seize in the general scramble—the strongest Provinces, of course, taking the largest share. That is a fashion to which we have been too long accustomed. No doubt such a system may, perhaps, bring about a spurt of prosperity in particular localities; but every man of common sense will, in that case, avail himself of the transient rise in the value of property to realize and betake himself elsewhere. I hope, therefore, that the Government will adhere to the prudent principles of this Bill, which point out that we must pause for a few months before we begin to initiate railways in different parts of the country. Let them, at this turning point of the history of the Colony, take a high position, and make a firm stand against any pressure or any influence which may be brought against them. I hope, especially, that my honorable friend who has introduced this Bill will not allow himself to be influenced by any such pressure, even though the nine Superintendents may surround and attempt to squeeze him. If he should yield, I am sure that he, in his heart of hearts, will confess, although, perhaps, to me he will not admit it, *Video proboque meliora, deteriora sequor*, which has been rendered, "though skilled to know the right, I chose the wrong." I hope better things from my honorable friend, and also from his colleagues, and I am quite sure that, if they make a firm stand, they will not only obtain the support of the Colony, but they will earn and secure its lasting gratitude.

The Hon. Colonel WHITMORE, C.M.G.—Sir, I do not regard the Bill which has been brought forward by the Colonial Secretary as a party measure. It has been accepted in another place, by both the Government supporters and those who are generally in opposition, with the sincere desire to perfect it and to make it useful to the country; and, Sir, in presence of a measure of this character, which is dangerous to our future prosperity or likely to promote it according to the way it is carried out, I think every honorable gentleman will agree with me that it is not right to speak from the paltry platform of political feeling. I approach it, therefore, with a sense of the duty which I owe to the country and to this Council. I feel that a measure of this kind should not be confused by political attacks and replies, but that our minds should be as clear as they can possibly be in considering questions of a nature with which few of us are familiar, and to which we have only within the last month or six weeks given the close attention which such subjects require; and, Sir, if in Committee I feel it to be my duty to move amendments of more or less importance, it is not because I am hostile to the Bill, but because I desire to make it safe, useful, and practicable in its working. In the action I propose to take I shall explain the reasons which weigh with me, I hope with sufficient clearness to absolve me from imputation of any motive other than that which I have explained. Before proceeding further, I desire to offer my humble tribute to the singularly clear, impartial, and statesmanlike explanation of the proposals of the Government made by the Hon. the Colonial Secretary yesterday evening. I recognize how much pains he took to render it not only comprehensible but palatable to honorable members, and if he at all erred on the sanguine side—if he contemplated no failures in regard to a matter in which perfect success is almost absolutely impossible—he showed, at the same time, that he was earnest and honest in his intentions, and gave a pledge to the Council and to the country of the single-minded manner in which he meant to perform his part; but, Sir, we must not allow ourselves to be carried away by ideas which, to some extent, are Utopian. We must make up our minds to see large sums of money lost to the country. The wisest men could not prevent a large margin of waste and loss being incurred in connection with measures of this kind: how shall we, with our inexperience and ignorance, escape? However, we should put our ideas together, compare our experiences, and endeavour to shave that margin down to the smallest possible extent. The Bill is essentially one of detail; the principle, indeed, is almost of less consequence than the details, and it will be in the harmonious working of these details, and the manner in which they are connected and embodied in the Bill, that the ultimate success or failure of the measure will be found to consist. Whilst much can be done by a proper choice of a system or line, and by the manner in which we shape the various

portions of the scheme, more will depend upon the honest and intelligent administration of it; and here, as the honorable gentleman who preceded me has said, the Legislature and the country feel that very great danger exists. We must, however, endeavour to prevent any single loophole or flaw escaping our observation so long as this Bill is before us, and I would rather see this Bill, upon which such great hopes are founded, thrown out for a year, than see it pass into law in such a shape that none of us feel satisfied it would work satisfactorily hereafter. Before I go into the merits of the Bill. I will incidentally glance at the financial proposals of the Government. They are not novel, but they are not altogether without originality: they are startling because of their vastness. I may here say that I do not quite concur with the arguments of the honorable member who preceded me, which were based upon the history of the national debt of England. The circumstances of this country are different, and the English indebtedness per head of the population never rose to anything like the magnitude of the debt which we now propose to take on our shoulders. The seat of commerce, as Great Britain was becoming when she first ran into debt, in close vicinity to a large trading and producing continent, she occupied a very different position to ours in this Colony. We have no such facilities for trade as England had when her trade and debt rose together; and we cannot be blamed for feeling disposed to use even perhaps too much caution. When we think of the sad result of the three million loan—when we think of the hopes we formed at the time of raising that loan, and how little we have to show for it now—honorable gentlemen may be excused for a certain amount of hesitation when they are called upon to expect much from the proposed loans. But the budget, as a whole, is bolder and more worthy of an ambitious community than any I have seen presented to the Legislature, and I wish to glance at, and speak favourably of, some of its leading features. The proposal to change the system of supplementing the provincial revenues by a capitation allowance of £2 per head is a very judicious one in principle. As regards the amount, I do not know if the revenue can stand it—I hope so; but it is the application of a new system of which we have heard something before, but which has never yet been applied in this country, and I congratulate the Government in having had the courage to propose to bring it into operation. If the budget had no other recommendation than that, which I look upon as a step in advance, I should have said that the Government proposals deserved the recognition of the country. I must also express satisfaction with the permanent appropriation for defence, and say that I believe, if a similar step had been taken some time ago, the country would not have fallen into the lamentable position in which it found itself in 1868. I repeat that the step they have taken is a bold one and a good one, and I hope it will meet with the general approbation of the country. Whilst I speak

on this subject I desire to thank the honorable member for the handsome manner in which, I understand, he alluded to the services which I was enabled to render to the country, in conjunction with those gallant fellows who, I am sure, will treasure his words as the first recognition of their services which they have received from that party in the country with which he is associated. I am sure that they will feel gratified when they at last hear that the value of their services is admitted by their fellow-settlers, and any hardships or privations they may have undergone will be to some extent compensated for by this somewhat tardy acknowledgement. Passing from that subject, I may say that I object to the arrangement which it is proposed to make with regard to the stamp duty, and when I come to deal with that part of the question I shall give reasons why I do object. I object to the debtor and creditor account with the Provinces which it is proposed to maintain with regard to this railway scheme. I likewise object to the immigration proposals as being dangerous and ill-considered, and I thoroughly object to the system of paying for railways in land. There is another patent defect in the Bill to which I also desire to allude. I believe it was originally intended to construct a main trunk line on a colonial principle, but, from some cause with which I am not acquainted, the Government have seen fit to depart—wrongly, as I think—from the scheme which they contemplated carrying out when they brought down the financial statement. In my opinion the Government, in departing from that principle, have committed a grave error, and I sincerely trust that the action of this Council will be such as to enable them to retrace their steps, and decide upon such a railway as was foreshadowed by the scheme of the Colonial Treasurer—a railway that would connect the various centres of population, and make more accessible those inland districts which, at the present time, are too far distant from markets to be capable of being used profitably by the agriculturists. Such a railway as that, Sir, would have been essentially a colonial work, and a work which it would not have been necessary to place on a provincial basis, or under the control of any Superintendent, or to enter into at the request or suggestion of any Province whatever. In order to have carried out such a scheme as that, it would have been necessary to show a cast-iron tenacity of purpose, and not make the smallest concession to any one, or the smallest deviation from the rule laid down. Our peculiar institutions must, when we consider a subject like the present, be borne in mind, and I am sure that the smallest concession made to any one would be like blood to a tiger, in whetting the hungry appetite of our log-rolling Provinces. Honorable gentlemen cannot be ignorant of what is passing out of doors. We know that certain concessions have produced nothing but a series of applications for small portions of railway, to be made in all parts of the country. Sir, I wish to see this scheme placed upon that pedestal of security upon which it would have stood had the trunk line principle

been maintained. I go further, and say that not only ought we to maintain it, but that we should not authorize the construction of a single yard of railway until the fullest information regarding the main trunk line is laid upon the table of both Houses. I have no doubt I shall be told that the Provinces of Otago and Canterbury are anxious to commence their lines of railway, and that, if we do not allow them to proceed, we shall be retarding the progress and prosperity of those Provinces. I am perfectly aware that that will be the answer; but the whole Colony ought not to be exposed to the danger of having its interests prejudiced because two of the Provinces are impatient to begin. If, in expectation of such a scheme as that now proposed, these two Provinces press their claims, I can only characterize their conduct as unpatriotic. Steps are now being taken by Parliament to advance their future interests, and to place them in a position which they could not have expected to attain when their little lines were designed, and it would not be too much to expect them to waive their claims and wait their time, in order to allow this national railway scheme to be undertaken as a whole. But, Sir, there is no evil without a remedy; and if those Provinces to which I have alluded will not consider the rest of the country, and will insist upon pressing that their works be undertaken a few months earlier, no matter at what cost or risk to the success of the scheme, then let their case be specially considered, and let Bills be brought in and passed which will enable them to carry out their works to the extent for which they can show security. If they can hereafter be brought within the scope of a trunk line, then let the Colony take over those smaller lines, but, in the meantime, let them be at the risk of having to bear the burden. That would be a fair way of getting out of the difficulty. Once the Colony has decided upon a grand trunk line—a proposition which must have been in the mind of the Treasurer, or whoever designed the scheme—once it is approved by Parliament, we shall be beyond the reach and out of danger of that provincial log-rolling which does so much harm to our legislation. If it should happen that at any time one portion of the country uses its influence unfairly towards the other, Parliament would, nevertheless, be tied down by principle to the grand trunk line. If all did not get their proper share at first, still the work would be slowly advancing towards its proper termination, and all would get their rights at last. I utterly object to the provincial element in this Bill. It is not because I wish in any way to avoid recognizing the bygone services of provincial institutions; far from it. I say that it is impossible for persons who have travelled in those parts of the country which have not been retarded by war to fail to notice how much has been done by those institutions. But their day is past, and if we are to inaugurate this new system and obtain this enormous loan, we cannot afford to run the risk of having a double government, which, practically, is what we should do if we accepted what is now proposed. In almost every clause in which the provincial element is alluded to in that Bill the

initiation of every measure lies with the Provincial Councils, and it must be evident therefore that, practically, the power given which arises from this great expenditure would rest with the provincial authorities. Whilst on the one hand I would wish to regain from the Provinces what I think it ought never to have been proposed to give them, I would, on the other hand, take from them that burden which appears to have been put upon them in the shape of a provincial charge in connection with the colonial railway scheme. If the amount of the capitation allowance turns out to be fixed too high, it will then be possible to reduce it within our means. Then, too, the security the Provinces can offer need not necessarily be taken into consideration by the Government in deciding on the main line of railways. The results of the construction of railways will not be fully seen until the whole scheme is complete; but there can be no doubt of this, that if they are completed on a proper system, the Provinces will be placed in a position far more prosperous than they would be by spasmodic and disconnected undertakings. With regard to side or district lines, the case is somewhat different. The credit of the Provinces should be given, to a great extent, for such smaller works, and they should not be included in the scheme. Again, it is not stated, in precise words, how much annually should be apportioned for railway works. I think that is a great omission. I think we ought to fix the amount now, rather than run the risk of having disputes arising hereafter. It may be wrong to look so far in advance, still, nothing would so much conduce to the success of the scheme as the doing away with all open questions. Sir, I said that I objected to the system of paying in land, and I now state, further, that you can make no worse bargain with a contractor than to propose to pay him in land. A contractor must calculate so as to leave himself a margin of profit; and a contractor would not have any facilities for disposing of land in small portions. Such a proceeding would be altogether outside his proper branch of trade. He could not afford to lose time to wait for his returns, or afford to spend it in hawking his land about. He would sell it, therefore, in the largest quantity possible to any person who might be disposed to buy in that way, and those persons would, of course, purchase with a view of making a profit. For instance, if land worth 20s. an acre were sold to a contractor, he would deal with it as being worth, say, 15s. per acre, and, probably, expect to sell it to speculators in large quantities at 10s. per acre, or even less. It is well known that in this country selling land has been a business, and, like all other businesses, a certain kind of machinery and experience is required, which a contractor, who might have recently come here from another country, would not possess. Again, another injustice would result from the adoption of this proposition to pay in land. An acre of land, at a fixed standard value of 20s., given to a contractor, would, no doubt, ultimately be offered for sale at even less than 10s. per acre, and, thereby, those who had

made legitimate purchases from Government would find that their properties had been depreciated by the manner in which this railway land had been disposed of. I certainly must say that I prefer the system of paying by means of a guarantee, and, when I say that, I do not forget it is a system which is open to some objection, but I cannot help regarding it as preferable to the system of paying in land. If we could borrow without difficulty, and if the money could be obtained on advantageous terms, and there was no doubt that it would be wisely expended in the construction of railways, then I should have no hesitation in saying that the system of paying in money would prove to be the cheapest and best. But it must be borne in mind, in the summing up of advantages and disadvantages which every colony presents to immigrants, that the debt of a colony is a matter which will be considered by people who may be desirous of emigrating. I think that a guaranteed amount of some millions would not appear so unfavourable as absolutely borrowed money. There is an impression abroad that all the money borrowed for the carrying out of these works does not find its way into the works themselves, but guaranteed money would appear, to the outside world, to represent so many miles of railway formed, and that is an impression which borrowed money would never convey. If we intend to propose guarantees, it must be borne in mind that there is more than one way of guaranteeing railway enterprise and that the work may be constructed at too high a price by parties who only look for investment. I heard, to-day, of a proposition made by a gentleman to construct a railway in a certain part of the Colony on a guarantee of 6 per cent, and I say, if you give a guarantee to that extent, you make it worth while for people at home to send their money out merely to invest it in this way. It will not signify to them whether the line is a useful or paying one, or even if it should pay a fraction below its working expenses, so long as they receive from the guarantee as much as 5 per cent., especially if there is a chance of 6 per cent. hereafter. In India, a guarantee of 5 per cent. is given, and plenty of money is to be found for constructing railways, because the contractors feel that they have good security. I may say that the Government there has never had the courage to make the subscribers of this capital bear the loss which has occurred in some places in the working of their lines. An interesting debate on this subject took place last year in the House of Lords, in which the Indian Minister's view was given in favour of borrowing money, but the ground for that opinion was that the Indian Government could borrow money at 4 per cent., whereas no contractor could borrow it at a less rate than 5 per cent. My own opinion is, that situated as we are, without having access to much scientific knowledge, and with the fluctuations in traffic that may be expected, we are not the best judges of which lines will pay and which will not, and I do think that, in a country like this, which would not be proud, and could

not be proud, about asking a contractor to pay any deficit of working expenses of a line of railway, the contractor would think well, before he took the contract, whether the line would pay or not, and thus we should have a guarantee that no lines would be entered upon except such as would be remunerative. This would apply to the proposed system of undertaking lines in little patches, with more force than a regular system of constructing a grand trunk line. If we undertook such a line as that, we could not expect contractors to accept the same terms, because a large portion of the line must be unprofitable. In that case there is no doubt it would be far better to borrow the money and use our best endeavours to expend it in the most judicious and economical manner. There is another system adopted in some parts of the world, by which the guarantee is given at so much a mile while working, and it might be worth the while of the Government to consider that system if they take authority for giving guarantees. If the amendment I hope we may succeed in carrying through the Council is adopted, namely, that a main trunk line should be constructed, I do not think we can expect to make any large bargains in the shape of guarantees. Sir, I believe, both with regard to the construction of our railways and emigration, we ought to revise our land laws. It is not only for the encouragement of settlements in the interior, but because the confused laws of this Colony at the present moment, regarding land, go a long way towards deterring people from coming out and settling here, that I say these laws should be revised. How many people come out here to find themselves in a very different position from that which they had expected, and had been led to believe, they would occupy? They had heard from others, and had, perhaps, read in printed documents, glowing accounts of what they might expect, which might, possibly, have been perfectly true with regard to other parts of the country than that to which they come, but they are disappointed when they arrive, and their letters to their friends will deter many from coming out. If however, our land laws were made uniform, the Colony would have more attractions for that class of people which we most wish to introduce and who will not come out unless we offer them land on tempting terms. We can get plenty of labourers, no doubt, but those whom we most want, who will come and occupy the land, will be those to whom special inducements ought to be offered, and a revision of our land laws is necessary to give that inducement. In connection with this scheme, we should also have gone a long way towards encouraging our native industries—the new industry of flax manufacture, for instance, which is, as it were, hanging fire, waiting for experiments which the people of this country have not the time or the means to carry out. I think it is a pity that the Government did not come forward with some large reward, such a sum as would have made it a certainty that persons of ingenuity and chemical experience would find the best mode of making

flax a suitable article for use in the manufacture of linen. I think it would be money well spent if even so large a sum as £25,000 were offered to the person who should first discover a mode of rendering flax useful for that manufacture. The establishment of manufactories in the interior of the country where flax is abundant would also, after that discovery, be worthy of consideration, and, likewise, the bringing out of skilled artisans to assist in the manufacture. One large manufactory in the interior of a Province would be of enormous advantage if this railway system is carried out. Around it would rise up small agricultural settlements, the people of which would be sure of a market for their produce, which they otherwise would not have, and population would be induced to settle itself more in the interior, while, at the same time, traffic enough would be established on the railway to go a long way towards meeting its expenses. Immigration may be a curse to the country instead of a blessing if we do not proceed with great caution in our selection of persons to be brought out. I have heard people say that this country could support ten, or twenty, or thirty thousand immigrants, as well as it could one thousand, but I warn the Government that it cannot, and if the Government attempts to swamp this country with pauper settlers, the distress it will suffer will be beyond anything it has ever yet suffered, and the result will assuredly be a re-emigration to the Australian colonies. It is well known in those colonies what the result may be. We have been recently told, in a leading paper of one of those colonies, that the Colony could well wait until it saw how our scheme succeeded before raising loans for emigration, and that, in the meantime, the population would be well kept up by the people landed here who would afterwards emigrate there. We must not shut our eyes to the fact that this scheme means additional taxation, for importation of immigrants into the Colony will not materially affect the revenue. Honorable members may think differently, but a short reference to figures will show what our experience in this matter has been for some years past, and will confirm what I have stated. The last census was taken in 1867, when the population was put down as 218,000, and the customs revenue as £864,000. In 1868 the customs revenue was £788,000—nothing gained there. At the present time the population is 250,000, and the customs revenue is estimated at £816,000. So we have made no progress in the last three or four years, and honorable members must not expect that the result of immigration will be to increase the revenue at the rate of £5 a head, or anything of the kind. Neither the ordinary revenue, nor the customs revenue, shows any proportionate increase to the increase of the population. There is nothing of the kind. I would further say that a large immigration means a very considerable fall in wages, and it is the excess in wages which is spent in luxuries upon which our customs are levied, and if the wages of the people are reduced

the customs revenue of the country must suffer fully to the extent of the larger number of people. I warn honorable members, then, not to take this step without their eyes open. We are going to put an additional burden of £40 upon every man, woman, and child in the country; and I say, in doing that, if we believe that we are not causing large increase in the taxation, we are making a great mistake. We shall be leaning on a rotten reed if we think that immigration will so increase the revenue as to keep down that taxation, and to meet it we must trust to our own industry alone. I shall listen with great attention to what honorable members have to say on this subject. I have taken my present course entirely as an individual member of the Council, acting in concert with nobody, but I shall be glad if honorable members find any similarity in their views to mine, and I shall support those who do so. I do not think this is a proper measure to be treated in a factious spirit, or with any idea of obtaining the smallest political victory, and if such were in my reach I should not attempt it in this question; and I may say that, however much I may appear to oppose the measure in the steps I take, and however determined I may be to insist upon and try to carry the amendments which will give effect to my views, it is solely with the desire to assist this measure and carry it to a really successful conclusion.

The Hon. Mr. MANTELL.—Sir, I deprecate any imputation of being guilty of factious opposition to this measure, but I may say that when I saw it first I looked upon it with apprehension, and then with horror and fright, as a piece of mad legislation really past language to describe. It is not the first occasion upon which a sudden burst of frantic legislation has come upon the Assembly of New Zealand. I recollect that, in 1863, we had just as grand and gigantic measures proposed to us, barring their numerical aspect, as that which is now before us. They were, perhaps, as grand and gigantic as this, and I viewed them with even greater horror, because they went more directly to state the result that was to be obtained than this does, although this measure tends in exactly the same direction. I refer to the three million loan brought in by the Fox-Whitaker Ministry. In the House of Representatives, at that time, there were a philosophical few, seven in number, who did their utmost to oppose that measure, and amongst them was the honorable gentleman who is now Colonial Treasurer. When one finds oneself in a small band like that opposed to large numbers, one is apt to credit one's allies with the same motives as oneself, but I fear, judging from his position in the present Ministry, it was rather envy which actuated that honorable gentleman in his action then than any of those motives which guided his allies. As to the success of those measures, or the realization or non-realization of the glorious hopes held out that the confiscation project would be self-supporting—that the three million loan would be recouped out of the confiscated land—I think everybody will admit that the prophecies of those who

opposed the measures were correct, when they said that those lands would be immeasurably more expensive to the Colony than they would be a gain. It will be admitted that our fears were realized and that the whole scheme was a failure, as I believe this will prove. That this scheme will, in some shape or another, be adopted, and that the present Government will attempt to carry it into operation, I have very little doubt, but, in the meantime, I think it my duty, entertaining the views I do—and I have considered the subject carefully—to offer opposition, however fruitless, to the passing of a measure which, to my mind, tends to destroy the prosperity of the country. I shall not detain the Council long at the present moment. I have merely risen to prevent a premature collapse of the debate, and I would rather have heard other honorable members express their opinions before giving utterance to mine. Therefore, I shall confine myself to a very few remarks, and those will be more particularly directed to one portion of the measure. There is one grave doubt which arises in my mind, and that is, as to the manner in which the Government will reconcile this measure with the proceedings and assurances of the representatives of the Colony now in London. I cannot understand it. It is for those honorable gentlemen to effect the reconciliation of those things which I consider irreconcilable, but it behoves them to recollect that it is not only their own honor which is at stake, but the honor of the Colony. We find that, on the 15th March of this year, the representatives and colleagues of the Ministry write in this manner to them:—

“The question is put to us, whether the New Zealand Government mean to bring out a new loan? And we definitely answer that there is no such intention, and that we earnestly hope still to avoid throwing a new loan on the English market, pointing to the sale of the treasury bills as an instance of our credit being high elsewhere than in London.”

Then they go on to complain that, at the very moment when they were making those statements, and working out financial operations of great delicacy, they were hindered in their endeavours by a letter from the Controller. I hear that it has been stated somewhere by the Government that the whole of that part of the financial scheme which relates to immigration and the outline of the proposals for public works were printed in the month of October last, and were discussed by the Cabinet and arranged at that period. Now, it appears evident to me that if it was so the Commissioners, for some purpose, stated that to Earl Granville which was not a fact. If these immigration and public works schemes were arranged by the Government in October last, the Commissioners must have been singularly oblivious of what had happened between themselves and their colleagues when they stated that there was no intention to bring out a new loan. The honorable gentleman will probably, in reply, reconcile these apparently irreconcilable statements. Sir, I object to this Bill upon several grounds. I object to it, first, because throughout the whole of

it I see no sign that there is, in the mind of the Ministry, any distinct plan by which to carry into operation the enormous power they seek to obtain. Of course, the Governor in this measure means the Government for the time being, and I have not that confidence, from such examples as I have seen of the administrative ability of the Government hitherto, as to trust to them the administration of these enormous powers for the welfare of the Colony. That is one of the most serious objections I have to the whole measure. The abstract powers taken for road making legislation in every place constitutes another ground of objection which I have to the measure. It is true that the Hon. the Colonial Secretary has stated that the employment of Natives in road making will keep them good, and help warlike operations; but I think, when the Natives get an insight into such plans as the Government have in regard to these roads, it will not tend to keep them good, or to get their services on the roads for any lengthened period. The one objection which natives and savages in all countries generally have to the making of roads through their land is, lest they should be interfered with through the aggressive operations of the more civilized power with which they are in contact. That the Government candidly acknowledges, and when they do so they take the first step towards preventing that which they profess to accomplish, and the construction of these roads will certainly not tend to peace. But the part of this measure to which I would chiefly confine my remarks is Part IV., which relates to the acquisition of land in the North Island. This is really not only taking a hair of the dog that has bitten us, but the whole animal. I should like to know to what cause can any reasonable man attribute our present state, and that of the Natives, if it is not to the action of the Native lands department, and yet here we have an honorable gentleman who distinguished himself, in 1861, by decrying so much the system of purchasing lands from the Natives, and declaring that there should be no more of it, a member of a Government which proposes the reconstitution of the land purchase department. It is true that it is said out of doors that now-a-days there are such checks upon the Government that, although they will not go into the title beforehand, the Native agents will have to be cautious in their operations. Why, the Native agents will soon be absorbed into this Native land purchase department. I caution my honorable friend not to expect any other issue, because I know, with all respect for his honorable colleague who has charge of Native affairs, that if he has any speciality, it is the purchase of Native lands. It has been said that no purchase which has been made by that honorable gentleman has ever been questioned. Does the Hon. the Colonial Secretary know the system upon which the purchases were made? They were made upon a system which did not admit of question. The Native agents find out some Natives who have land, and purchase it from them with all rights appertaining to it. As soon as the Government get hold of it, other Natives start up and claim it. Their claims are satisfied,

and a deed taken from them; and so, on and on, until there only remain a miserable few, who may possibly have a better right to the land than all the rest, but who can be passed over without endangering the peace of the country. That is a fair description of the system pursued by the land purchase department; I do not think there was anything better at the bottom of it. I have had opportunities of observing it, although I was never a member of that department, and that appears to me to have been the practice. I can understand that it is a very proper compliment, and a very delicate attention on the part of the Ministry to their honorable colleague; and when a gentleman has a speciality, it is the great delight of his life to be employed in working out that speciality. I remember hearing of an American doctor who was sent for by a patient in the bush, who was suffering from fever. That disease, however, did not appear to be his speciality, so he compounded a powder which he handed to the messenger, saying, "That will give him fits, and I am death on fits!" The honorable gentleman's colleague does not comprehend a policy of a broader nature than this, but he says, "Pass this section of the Act, and it will give me the Native land purchase department." He is death upon that department, and it has been and will be death upon us! I am quite sure that in speaking in this way I am not doing the honorable gentleman an injustice, because, if there is one man more than another who has an intelligent acquaintance with Native affairs, it is the author of that wonderful achievement, the Maori Representation Act! I appeal to that. There we have the broadest conception of what is essential to the Natives, and what is likely to pacify them and make them good citizens, which we have ever had from the honorable gentleman, excepting always the land purchase department.

The Hon. Mr. GISBORNE.—Will the honorable gentleman say that he voted against it?

The Hon. Mr. MANTELL.—I do not know, but I am quite willing to be "Hansardized" on the subject. I believe the history of the question was, that an honorable gentleman asked my advice upon the measure, and I expressed my willingness to vote for it if I could only find certain papers which I submitted, in 1865, to Mr. Weld's Cabinet. I think the Hon. the Minister of Justice will admit that, although I began in a minority of one, I convinced the honorable gentleman and Mr. Weld, and that those principles would have been adopted by Mr. Weld's Cabinet, of which I soon afterwards ceased to be a member. When the measure was brought forward here I opposed it as a whole, because, as I said at the time, it was so bad in principle that I would not attempt to meddle with the details. I did afterwards agree with some honorable members that if they would support it, I would bring forward another Bill, based upon the principles which were about to be adopted by Mr. Weld's Cabinet, but, unfortunately, *Hansard* reported that I would offer no opposition to the measure, and my honorable and gallant friend Colonel Whitmore met me when I was ready to redeem my promise, and

reproached me with this, and, consequently, I did not go any further. The provisions for land purchase here are as loose as any of the old regulations in Sir George Grey's time. The provisions for the re-creation of the department are very well supplied in clause 88 of this Bill. I make this prophecy to the Council, but I shall be only too delighted to find that I am wrong in my apprehension, that if this clause is carried out, it will result in the re-constitution of the land purchase department, although it does not distinctly say so. Clause 88 gives the Governor power to appoint to officers,—

"The Governor may from time to time appoint such agents, sub-agents, engineers, surveyors, clerks, and other officers, in New Zealand, or elsewhere, as he may think requisite, for effectually carrying out the powers herein conferred upon him, and may from time to time cancel any such appointments; and the persons so appointed shall be paid such salaries or other remuneration as the Governor may from time to time direct."

There is all the machinery provided for the purpose. I repeat what I said in 1863, that any land which you get on these terms will cost ten times as much as any you have had hitherto, and, so far from there being any balance of the loan which may be raised under this Bill to expend upon roads, railways, and waterworks, you will find that the defence department will swallow up the whole of it, because I defy any Government, when it has aroused the opposition which is likely to be aroused in carrying out this Bill and the other measures which are connected with it, to abstain from expending any money which it may have in defending the lives and property of the people, at any rate, in the chief centres of population. Judging from my sources of information, I do not think that the "Native mind"—the temper of the Natives—is at all disposed towards sitting down calmly and allowing the Government to construct roads and railways through their land, under the powers given by this Bill. I do not think they will appreciate it any the more by being told that the good old halcyon times are coming back, and that if they will only give up their land they will get "ground bait" scattered in every direction. What has become of the £180,000 which was expended in that direction? An account of that expenditure has been promised, but has never been furnished. We are now to throw in another £200,000, simply, as I said before, to accommodate a gentleman with the means of exercising his speciality. I do not think he will find that the Natives are disposed to revert to those halcyon times, when he could go and negotiate with them from time to time. It will be found that the Natives, who were then as it were in swaddling clothes, will not approve of being put back again into swaddling clothes to suit the desires of any honorable gentleman, whether he is a Minister or not. I am not aware that there is any impediment to the acquisition of land under the existing Statutes of the Colony, and I do not see why the Government should desire that this power should be given to them,

unless it be to produce the effect which I apprehend will inevitably follow. I can well understand that this measure may have commended itself to honorable members. It has taken them all by surprise; it has dazzled them by its apparent brilliancy, and it is impossible to be totally unmoved when a vision of profit, and of an increase in the value of property, is held up before them. I remember, in years gone by, seeing a gentleman who was very clever in the art of prestidigitation, who would come before you, and after assuring you that there was no deception, would put his hand to his mouth and begin to pay out ribbons, to which these railway lines may be appropriately compared. These interminable railway lines are payed out in every direction, and everybody rushes to get a sample; but I am very much afraid that the ribbons of the conjuror would prove as good means of communication between different parts of the Colony as any railway which will be constructed by the Government. However, if it must be, it must be. If I felt that any honorable gentleman would second the motion, I should formally move that the Bill be read a second time this day six months. If any honorable gentleman makes a motion to that effect, I shall second it, and shall be glad to see my name upon the division list against the Bill. I am quite prepared to hear every honorable gentleman, in the course of two or three years time, expressing his deep regret at having assisted the Government in carrying this measure.

The Hon. Mr. McLEAN said that, in rising to support this measure, he felt very much in the position of a private individual who was about to embark in a scheme which was apparently beyond his capacity; but that feeling of foreboding entirely changed according to a man's ideas and powers of seeing into the future, upon which he based his calculations and formed his resolutions. One man would say that he saw no necessity for taking action, as he was satisfied to live quietly for the rest of his days. Another person would say, "Here is a splendid scheme! I could do without it, and it may not do me much good; but I feel within me that which impels me on for the benefit of others, if not for my own benefit." The world was much more indebted to the latter than to the former class. The feeling that we should act for ourselves, and leave those who come after us to do likewise, was to be found running through communities and individuals, but it was confined to the smallest natures and the most narrow minds. The measure which was now before the Council was calculated to frighten people who were not in the habit of looking beyond to-day. The whole thing which they had to look at was a matter of four millions. Honorable members must approve of this measure when they considered that, by passing it, they were laying the foundation to build up the central arch of that bridge which would span the wide expanse of that water of stagnation which was now retarding the progress of the Colony, as well as the troubled and passing streams of provincial interest and jealousy, and over which, when completed, we would march to power and prosperity.

That was the view which he took, and he felt satisfied that he would not be in a minority. They started with borrowing four millions of money: all else need scarcely be taken into the calculation at all. After they had agreed upon the foundation, the first item was the expenditure of £400,000 for the first stone in the edifice, namely, the construction of roads in the North Island. Would any honorable gentleman stand up and say that that was not needed, and that it was not possible to make it the most profitable investment which the Colony had ever entered into? How many hundreds of thousands of pounds had been spent in killing out an element which might have been turned to good account? If we were going to employ that very element in making roads, every pound which was spent for the purpose would represent a conquered enemy. In the country which he came from there was a superstition that a certain class of beings could only be wounded by a silver bullet, and the same belief might be applied to the enemy we had been fighting, who had been imbued with a strong power of doing evil. Although some of them might have been killed, they had not been conquered as a body, and the proper kind of bullets with which to conquer them were to be found in this proposal. They would not be long in conquering their brethren by those means, and they would find that it was better to make roads, to earn money, and live comfortably, than to continue starving and fighting in the bush. That was the first stone of the edifice. They then came to the next, namely, an expenditure to an equal amount for railways in the Middle Island, and he was satisfied of this, that in respect to the whole stretch of sea board, from Waiho River in Nelson to Invercargill in the South, as fast as they could make a railway so far would it pay. He did not mean to say that they should begin at both ends, and expect to complete the work in a few years, because that would be an impossibility. That would be a line of railway extending for several hundred miles, passing through large centres of population where railways had already been commenced, and should commence,—Oamaru, Christchurch, Timaru, Dunedin, and Invercargill, and to construct a main trunk line it was only necessary to keep on working in each direction from those centres, until the lines gradually met and formed a continuous whole. It was impossible to commence too soon to carry out those great works which would enable the Middle Island, prosperous as it was, to be still more prosperous, by introducing a proper class of people, and increasing the productions of the country. The next proposal contained in the Bill was that which related to the construction of waterworks upon the gold fields. He would not speak so confidently about that, because he really did not understand it, and, therefore, he should leave that part of the subject to other honorable gentlemen who were competent to deal with it. One good feature in connection with the proposal was that those works were to be carried out at the expense of the Provinces, and he had no doubt that, by making them responsible for the expenditure

of the money, they would take good care that it would not be thrown away. That was one great safeguard, and therefore they might rest satisfied that the money would be properly expended. At any rate, it must be admitted that the money was to be expended upon one of our largest sources of prosperity. He should be delighted to find that the expenditure which was proposed upon the gold fields would prove as successful as was anticipated. He now came to the subject of immigration, which was the keystone to this great work. If that was properly carried out, there was not the least fear of the erection tumbling to the ground, because everything else depended upon that. One million of money was to be devoted to immigration, and a more worthy purpose could not be found. Much would depend upon the way in which immigrants were introduced. It would not do to bring out ship load after ship load, and distribute them over the country without any pre-arrangement as to how they were to be employed. It would not do to go into the great cities of the United Kingdom, and collect people who could not earn a living, and whom nobody would employ. The Government might find a good example by looking at the immigration which had been conducted in the southern part of the Colony for the last ten years. We first wanted rural population, because any strong muscular man would do for a navy. In order to develop the enormous agricultural resources of the Colony, skilled labour was required, and the only place where it could be procured, was Great Britain—the middle counties of England, Ireland, and Scotland. By-and-by a useful class might be obtained from the North of Europe to settle down upon the land when it was opened up by roads, but the first step must be to get immigrants of the very best description, or they would be a detriment instead of an advantage. It would be easy, when the country was opened up, and manufactories were to be undertaken, to go into the great cities of Europe, and get as many artisans and operatives as were required. The first thing was to invest the money so that it would yield a good return. He did not know how the Government proposed to proceed in the matter, but the Southern Provinces had a machinery at work in the United Kingdom, engaged in that particular work, which he thought might be advantageously dovetailed in with the Government scheme, and of which the Government would do wisely to avail themselves. With respect to the £200,000 proposed to be devoted to the purchase of land in the North Island, he was unable to express a decided opinion, but he could not help thinking that it was worth nothing because he did not believe that the Government could go in and buy land and sell it at a profit; certainly not if they were to buy land and hand it over to Auckland, to be given away for nothing, as that Province was doing now with its own lands, so that he hoped the Government would consider long and carefully before they invested a single shilling in that direction. If the Government could buy the land cheap, and re-sell it at a profit,

it would be a laudable use for the money, but that result must be ascertained to be a certainty before the money was invested in any land, except, perhaps, that which might be required for the purpose of constructing a great trunk line of railway through the North Island. The whole gist of the speech which they had heard from the Hon. Colonel Whitmore was simply the establishment of a main trunk line. He did not understand what the honorable member meant by that. Did he mean that half a dozen men were to be set to work at the North Cape, and half a dozen more at the South Cape, who were to carry on a line until they met each other? Every single yard which was made on the south side of Cook Strait was a main trunk railway, and it would be impossible for any one to go off the line if he tried. There would be no difficulty in that. He supposed the honorable gentleman did not mean to say that he would lay it down as he would a fishing-rod. Lines must be taken through the various centres of population, and shipping ports along the sea board of the Middle Island, until they were all connected. The honorable gentleman also spoke about expunging the provincial element from the Bill. That would be easy enough, but could it be expunged from Parliament? The provincial institutions had done their work, and they would have to let them die that natural death which would take place at no distant day. What had been said about doing away with the provincial element, reminded him of a military gentleman whom he knew, who was possessed of a rather hasty temper. His cook invariably managed to spoil the military gentleman's dinner, and one day the military gentleman shot some pigeons, which were handed to the cook, and at the same time the military gentleman told him that if, in cooking them, he spoiled them, he would "thrust them down his throat, feathers and all;" whereupon his wife cried "Oh, major, major, don't make a fool of yourself; you can't do that; if you tell him that you will give him three or four lashes and then dismiss him from your service, he will believe you. When you tell him that you will do that which you cannot do, he only laughs at you." The case was precisely the same with regard to the provincial element; honorable members talked about doing that which they really could not do, and thus brought themselves into contempt. He was as willing as any other honorable member that the provincial element should be abolished, but it was necessary that, before they took a step in that direction, they should have safe ground to tread upon, and be satisfied that they saw their way to do it with advantage. There was nothing which would so much tend to bring about the object in view as the construction of works which would facilitate communication, extinguish provincial jealousies and interests, and tend to secure the permanent prosperity of the country. Then they would have a clean map; there would be no provincial divisions, but a united and prosperous country. There was one point which the honorable gentleman, when he addressed the Council on the day previous, did not make quite clear, and that

was as to how the Government proposed to borrow the money. It was not stated whether it was proposed to obtain the money in one lump, or whether it was intended to get a million this year and another million in the year following. It was necessary that they should proceed very cautiously, for, after all, the Colony might have to encounter the same difficulties as any private individual who might wish to obtain a loan. For instance, one might ask a man to lend him £100, and very probably he would get the money, but if he requested the same person, perhaps, to lend him £1,000, he would, on various grounds, refuse to let him have it. The money lenders in England would, no doubt, exercise the same caution. Our security would be good enough, but a great deal would depend upon the way in which they sought to obtain the money; a great deal would depend upon the manner in which the question for a loan was asked, and much would also depend upon the manner in which the first loan was expended—whether judiciously or otherwise. There was another part of the subject which, in his opinion, should not be lost sight of. There was no doubt that, if these monetary arrangements were properly conducted, a greater interest would be felt in the progress of the Colony by men of influence and affluence in Great Britain, and in that way they would be assisting to cement that connection between the two countries which all so much desired. He did not think he could say much more on the subject; he might say that he entertained no misgivings respecting it. Those who had a grain of spirit, and desired to see the country prosper, would support the Bill, and take care that it was properly worked out.

On the motion of the Hon. Mr. WATERHOUSE, the debate was adjourned until next sitting day.

The Council adjourned at twenty minutes to ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 24th August, 1870.

Clyde Gaol and Court House—Public Petitions Committee—Portland Island Lighthouse—Forms and Proceedings—Confiscated Lands, Auckland—Bay of Islands Settlement Bill—First Readings—Ballot Bill—Robert Johnson Land Grant Bill—Otago Waste Lands—University Bill—Grey Valley and Teremakau—Wellington Waste Lands Bill—Nelson Crown Lands Leasing Bill—Otago Road Boards Ordinance Validation Bill—Case of James Runciman—Green and Spencer Land Claims Bill—Representation Bill—Messages from the Legislative Council.

THE SPEAKER took the chair at half-past two o'clock.

PRAYERS.

CLYDE GAOL AND COURT HOUSE.

Mr. BRADSHAW asked the Premier, Whether the Government will give effect to the petition of the mayor and councillors of the incorporated town of Clyde, in the Province of Otago, in respect to the erection of a gaol and court house in the said town? Very recently he presented a petition

from the mayor and councillors of Clyde; it was presented in consequence of a robbery committed in that town, and was referred to the Public Petitions Committee, who reported as follows:—

"The petition purporting to proceed from the mayor and town councillors of the incorporated town of Clyde, in the Province of Otago, is signed by the mayor alone. The prayer of the petition is that a court house and a gaol be built in the town of Clyde. The Committee have examined Mr. Bradshaw, the member who presented the petition. That gentleman states that a court house and lock-up are absolutely necessary at Clyde, and he adduces, as a proof of the necessity of the latter building, the fact of the recent plunder of the gold and notes in Clyde, while *en route* under escort to the City of Dunedin, from the gold fields. I am directed to report that the subject matter of this petition must be disposed of by the Executive of the Colony."

The Executive of the Colony might probably say that it was a matter for the Provincial Government, although the subject—the administration of justice—is of colonial concern. He should be perfectly satisfied if the Government would put themselves in communication with the Provincial Government and the municipal authorities at Clyde on the subject.

Mr. FOX said that the position of the Government in reference to the matter was this: that they found two rival towns, Clyde and Cromwell, each competing for the establishment of a gaol and court house, and each contending that it was the true centre of the district, and calling upon the Government to recognize its claim. To show the extent to which this rivalry had been carried, in one application, addressed to the Government, the writer addressed himself to the subject in this way:—

"Cromwell is in this position: that whilst other townships have been born great, and others have had greatness thrust upon them, Cromwell has yet to achieve greatness. Looking a little ahead I am very decidedly of opinion that Cromwell will some day be the chief centre of a district whereof Clyde and Queenstown will be out-stations."

After that it was thought by the General Government time to refer it to the Provincial Government. The General Government had no objection to communicate with the Provincial Government on the subject. It was not usual for the General Government to interfere in matters of this kind, unless required by the Provincial Government to do so.

Mr. MACANDREW said the matter would be shortly attended to by the Provincial Government.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petitions of Maria Andrewartha; of certain Tauranga settlers; of Henry Poirabae; of the Philosophical Institute of Canterbury; of five members of the late Taranaki Cavalry Volunteers; and of Andrew Matua and 150 other aborigines of the Province of Hawke's Bay; which were read, and ordered to lie on the table.

PORTLAND ISLAND LIGHTHOUSE.

Mr. ORMOND asked the Government, Whether it is intended to establish a lighthouse on Portland Island, or other point on the East Coast of the North Island, for the better security of vessels trading there? He had put the question on the paper with a view of calling the attention of the Government to the necessity for this light. He believed the Government marine surveyor, Mr. Balfour, had already reported on the subject. Portland Island, where the light was required, was one of the points of Hawke's Bay, and afforded secure anchorage from both northerly and southerly gales. A light placed on that island would direct vessels to anchorages where they could ride out such gales in security, and would enable all vessels going northward from Wellington to avoid a danger called the Ariel Rocks, on which a steamer called the "Evening Star" was wrecked a few years ago. Two other steamers had been lost within the last two years, which might have been saved if there had been a light on the island. A vessel endeavouring to get away from easterly gales in Hawke's Bay would be materially assisted in a dark night if a light were placed there. He believed that Mr. Balfour had recommended that after the Tory Channel light the light on the Portland Island was the one most required. He was given to understand that Commodore Lambert recognized the advantage of it, and had also recommended that the Ariel Rocks should be buoyed for the better security of vessels coming from the north.

Mr. VOGEL said that a considerable sum of money out of the last loan had been set apart for the construction of lighthouses, and had been all expended. The lighthouses were erected in the order in which they were most urgently required, as determined by what was considered the competent advice of Mr. Balfour and Captain Johnson. There was a lighthouse still more urgently required than even that to which the honorable member referred, namely, one at the entrance of Tory Channel, to enable vessels to enter Queen Charlotte's Sound at night. Next to that in urgency came the lighthouse to which the honorable member referred. Whether the available means at the command of the Government this session would be sufficient to enable them to construct both of those lighthouses he was not prepared to say. The Government would consider whether it would be advisable to have the sum of £8,000 placed on the supplementary estimates for the purpose of constructing those lighthouses. He thought that it would be fair that the money should come out of the surplus, which, according to the financial statement, supposing the proposals of the Government to be carried out in their entirety, would be available at the end of the year. He was not prepared to state positively that they would put the sum on the estimates, but he thought it probable that they might be able to do so upon the understanding stated. In the course of a day or two, when the supplementary estimates were brought down, he should be able to afford the honorable member further information.

FORMS AND PROCEEDINGS.

Mr. FOX brought up the report of this Committee, which was ordered to be printed.

CONFISCATED LANDS, AUCKLAND.

ADJOURNED DEBATE.

Mr. HALL had one word to say upon this subject. He thought the resolution, as it stood, was rather a disingenuous one. The resolution asserted, "That in the opinion of this House, it is expedient that the colonial revenue should be relieved from the cost of administration of the confiscated lands in the Waikato and Bay of Plenty districts," whereas, substantially, the object of the resolution was to hand over the confiscated lands of the Colony to the Province of Auckland. He thought it would be better to have said so in a straightforward manner at once. He thought the remarks of the mover of the resolution had rather misled the House as to the true state of the case. The case had been put fairly to the House by the honorable member for Timaru. The cost of administration during past years had greatly exceeded the revenue; but a great number of the expenses in times past could not be called costs of administration but rather costs of acquisition. It would be in the recollection of the House that a few years ago it was asked to authorize the issue of treasury bills to the extent of £28,000 for discharging outstanding claims on the confiscated lands, particularly purchase money due to friendly Natives. It was distinctly stated to the House, and the money was lent on the assurance, that the sale of confiscated lands would repay that amount of £28,000. They had heard from the Colonial Treasurer that a portion of that amount—somewhere about one-half—had already accumulated; and the Colonial Treasurer, in his financial statement, intimated that, in the opinion of the Government, if the confiscated lands were transferred to the Province of Auckland, the remainder of the £28,000 should be also paid back. Whatever might be done with regard to other outlay on the confiscated lands he hoped the House would insist, in the present case, in that being done. Personally, he felt very strongly upon the subject. He himself obtained that sum from the House upon the assurance that it would be repaid out of the proceeds of the confiscated lands. It was true, as had been pointed out by the honorable member for Timaru, that the enormous cost of administration was a thing of the past, and that, at the present time, the lands produced more than the cost of administration, which was small. Therefore, he thought, under any circumstances, if they were handed over to the Province, they should only be so subject to the £28,000 being made a first charge upon the proceeds of the confiscated lands. Upon the whole he thought that, as had been suggested by the honorable member for Timaru, the question should not be absolutely and definitely settled this session. It had been suggested, and he thought by an honorable member representing an Auckland constituency, that in view of the proposals of the Government it would soon be desirable that the administration of the waste

lands of the Crown throughout the Colony should be taken into the hands of the Colonial Government. Well, if that were the case, and if that question were to be brought before them during the next session, as they had been assured it would, it seemed rather inopportune that the Colony should divest itself of the administration of the waste lands which were then in its hands. That would be an entirely inconsistent proceeding. They should also bear in mind that there was already a power in the Government to hand over the administration of such portions of the confiscated lands to the Provinces as it might appear to them advantageous to do. Under those circumstances he hoped the honorable member would not press his motion. If he did he (Mr. Hall) hoped the Government would give them an assurance that, under any circumstances, the balance of the £28,000 would be made a first charge upon the proceeds of the confiscated lands. It should be borne in mind, in speaking of the confiscated lands, that they include valuable lands which have been actually purchased. In one case, the Kati-Kati block, the General Government paid £6,000 for the land, which was still in its hands, and which was very valuable. He thought if that were handed over to the Province of Auckland, that in all fairness the purchase money should be repaid to the Colony out of the first proceeds of the land.

Mr. VOGEL said there was a provision which had been accidentally left out of the Immigration and Public Works Bill, but which had been reprepared and would be introduced in another place, by which it was proposed to give the Government power to hand over, from time to time, or rather to bring within the operation of the Waste Lands Act of any Province, any blocks of confiscated land which it was thought desirable to relinquish in favour of the Provinces, on such conditions as might be agreed upon between the Superintendent and the General Government as to any existing liabilities attaching to such land, and that any proceeds arising from such land should be devoted to railway and immigration purposes; with a further provision in respect to the Province of Auckland, that such land should not be available for free gift under the Waste Lands Act for the Province, which had been passed this session. He thought the hope had long since faded away that immense returns would arise from the confiscated lands, and so recoup the Colony the expenditure of the three million loan. Last year the receipts and expenditure appeared to have balanced each other. There was accumulated, on the whole, he thought, about £13,000 or £14,000, which would be available for paying off part of the treasury bills issued against the security of the confiscated lands. But even all that sum would not be available, for there was a supplementary estimate against the amount of £3,000. However, there was no doubt that, on the whole, the confiscated lands would be sure to yield sufficient to pay off the whole of those treasury bills. Such portions as were handed over from time to time would be made subject to such proportion of the £28,000 as would, at any rate, relieve the Colony

of any liability under that head. As was suggested by the honorable member for Heathcote, every year bargains of that kind should have effect given to them. He thought it would be well that the present resolution should be met by the previous question, and that the confiscated lands should be dealt with under the terms of the clause which he had stated was to be introduced into the Immigration and Public Works Bill. The Government were of opinion that, in giving over the land subject to such a small amount of liability as the paying off of the £28,000, it was not to be forgotten that the land partook largely of a colonial character, and that, therefore, its proceeds should be devoted, either one way or the other, to public works and immigration, and that it should not be given away under the new Waste Lands Act which had been passed this session, which they could not but look upon as of a somewhat experimental nature, and about which there were differences of opinion. He was not desirous of canvassing the merits of that Act, and would only say that the opinion entertained as to the way in which it would work was somewhat varied. The Bill went through notably in another place on the strength of the great anxiety of those who had the control of local affairs to see such an Act passed. However, it would clearly not be right to put the confiscated lands in the position of being given away. The resolution was somewhat cleverly worded. It was worded as if it were brought down by the honorable member under a strong sense of rendering a benefit to the country by relieving it of an oppressive charge—not as coming from one who was inclined to take charge of the matter himself, or on behalf of his Government. It was to be hoped the time had passed when the management of confiscated lands was really of so unprofitable a nature as to make the Colony hand them over for the mere purpose of getting rid of their further charge. There was a great advantage, he was free to admit, in not having two sets of land laws within a Province, and, where it was practicable, in placing the confiscated lands under the same system of land laws as prevailed within the Province. That was not inconsistent with the Auckland Act of the present session, which was framed in such a manner, he believed, as to be applicable only to the lands brought under its operation. But, generally, in respect to ordinary sales and disposals of confiscated lands, he freely admitted it would be much better that they should be under the same management as the ordinary waste lands of the Province. In respect to some of the confiscated blocks, there arose a question of much more importance than that of the mere machinery and mode of disposing of the land. It was a question which really concerned the Colony at large, and affected the peace of the district as connected with the policy to be pursued towards the Natives; and he thought it was only fair to the honorable member for Mongonui to say that the Government would not be justified in parting with any responsibility of such a nature as that now indicated, and divesting itself altogether of it, without the Assembly giving much more direct power

than it could do by a mere resolution. The Superintendent of Auckland, acting as agent for the Government, might administer some of those confiscated lands, but the Government could not divest itself of the control and still be responsible to the House. That would obviously be a position very unfair to the Government. His honorable friend the Native Minister would not be at all inclined to accept responsibility for matters over which he had no control, and, perhaps, of which he would have no knowledge. He merely mentioned that, because parting with the control of some portions of the lands referred to in the resolution might be amenable to such objection as he had raised. On the other hand, there were some blocks in the Province of Auckland which the Government, he believed, would see no objection to bring within the operation of the Waste Lands Act of the Province, with such provisions respecting the existing liabilities, and as to the Act newly passed, as might be found desirable. In fact, such provisions as might come within the spirit of the following clause:—

“Always provided that the proceeds of the land itself should, over and above the amount of such liability, be applied to the purposes of immigration and public works.”

He hoped the honorable member for Mongonui would accept the previous question, which he had now the honor to move.

Mr. GILLIES felt somewhat surprised at the course taken by the Colonial Treasurer in this matter, especially after the speech of his honorable colleague the Native Minister when the debate was first commenced. After the remarks which had been made by various honorable members, and the remarks which fell from the Government benches, he was quite prepared to have withdrawn his motion; but he thought it was rather ungracious on the part of the Government to deal with the question in the way in which they had done, considering that he (Mr. Gillies) had submitted the matter to them previous to his putting the resolution on the order paper, and they did not intimate to him that they were desirous that it should not be brought forward. However, as they had chosen to take that course, he would just briefly refer to the arguments which had been used in regard to the motion. Most of the arguments that had been used had been based either upon a misunderstanding or misrepresentation of the nature of the motion. The honorable member for Heathcote began by saying that he considered it a most disingenuous motion—that it did not mean what it professed to mean, and that it was framed with a desire to hand over to the Province of Auckland the land for themselves. He told the honorable member for Heathcote, and those honorable gentlemen who had taken that view of the motion, that they were utterly in a mistake—that he was incapable of doing those disingenuous things, in putting upon the paper a motion which he did not mean in its integrity. It was with no intention of asking the Colony to vote over the lands absolutely to the Province of Auckland that he put the motion on the order paper, and the arguments founded upon that supposition were

utterly valueless. The motion which he had made was, that the administration of the lands in question should be transferred to the Provincial Government upon such terms, not involving further colonial expenditure, as might be arranged between the General and Provincial Governments. He explained, in making the motion, that it was to avoid the triplicate expense which existed of Provincial and General Government and confiscated land establishments, so that it all might be managed by one authority instead of by two or three, and not with a view of acquiring the lands gratis, or of making a profit out of them. Notwithstanding the assurance of the Treasurer that the time had gone past when the management of the confiscated lands would be an oppressive charge, and notwithstanding the assurance of the honorable member for Timaru that although the cost of administration had been heavy in past time it was not to be so for the future, he could assure those honorable members that if they looked at the lands that were left, and at the disposal of the lands hitherto, they would find that the proceeds would be very little indeed. Probably, the House was not aware of the fact that out of 1,800,000 acres that had been confiscated in the districts of Waikato, Tauranga, and the Bay of Plenty, there had been actually given away to friendly and rebel Natives, and military settlers, of whom very few were upon the land, 1,000,000 acres; and all that had been sold out of that 1,800,000 acres had been 137,000 acres, which had been sold for cash and for scrip, but a great portion for scrip. All that was left was about 800,000 acres for sale, and that was the very worst of the land —land which was practically unavailable unless by a large outlay in making roads and bridges to encourage settlers to take it up, which they well knew the Government would not undertake, but which the Provincial Government, for the sake of getting the country settled, might undertake in the ordinary process of provincial affairs. There would be claims against the Colony for the mode in which the confiscated lands had been administered. Already there had been a petition before the House, which had been referred to the Petitions Committee, from the settlers in one block of the confiscated lands that had been sold, and upon which the Committee had reported as to the extraordinary way in which the thing had been managed, and recommended the Government to at once remedy the evil complained of by the settlers, who had been in possession of their land for two or three years. Those settlers complained that they had bought land from the General Government to which there were no roads, and they were unable to obtain from the General Government even land in exchange if they required and made the roads. That was how those lands had been administered, and he ventured to say they would not be administered in a worse manner by the Provincial Government. Then there was the question of different regulations, and the question of outlay for bridges, roads, and such things. The Province clearly would not spend the ordinary provincial revenue in opening up

the country if the proceeds were to go into another purse. They would be prepared to spend the revenue in doing good to settlers who had bought the lands from them and to whom they were specially bound. The honorable member for Timaru told the House that the Waikato confiscated lands were the only portions of the whole of the Province of Auckland that had been well and thoroughly surveyed. Why, a greater delusion never existed. They could not boast of the excellence of their surveys, but if there was one part of the Province more than another which was badly surveyed it was the Waikato confiscated lands; so much so, that when the maps came to be closed up there was a survey of some five or six thousand acres sent in for which a place in the map could not be found to fit it in. But he must say, in justice to the inspector of surveys, who had been referred to by the honorable member for Grey and Bell, Captain Heale, that it was not under his direction that those things were done, but under the direction of the very gentleman under whom it was proposed to place the management of the confiscated lands, Major Heaphy. In regard to the Tauranga lands, it was only recently that he had occasion to be in that place, when he saw that the country which had been confiscated so long was actually unoccupied. It had been given away to military settlers, and was practically unoccupied. The best pieces had been cut off and given to Natives, who had sold to speculators, and it remained unoccupied, and would do so for a considerable time if it was to be managed by the General Government agents. They had found that the administration of the confiscated lands hitherto had not been such as to obtain settlement in the country. If the General Government thought they could make money out of the lands in order to assist in public works and immigration, he would only be too delighted to let them do it. All he could say was that he could see plainly that they were running themselves into difficulties, which were becoming greater every day, in connection with the administration of those lands. It was only by one system of administering all the provincial lands and the confiscated lands that it could be made at all profitable. With those remarks he would ask leave of the House to withdraw the motion. It was put on the paper for the purpose of getting an expression of the opinion of the House that it would be well to relieve the Colony of the charge of the administration of those lands.

Mr. VOGEL asked leave to withdraw his motion for the previous question.

Motion for the previous question withdrawn, and also original motion.

BAY OF ISLANDS SETTLEMENT BILL.

Mr. McLEAN moved, For leave to bring in a Bill to repeal "The Bay of Islands Settlement Act, 1858."

Mr. CARLETON took the opportunity of rising upon the motion for leave to bring in the Bill instead of for the second reading, because, at that late period of the session, if an honorable member did not seize his opportunity he was likely to lose

it altogether. The repeal of the Act was inseparably connected with the question of the debt for which the Bay of Islands settlement was mortgaged to the General Government. He might be permitted, in a few words, to go briefly into the history of the affair. In 1858 the General Government thought fit to introduce a certain number of Bills having reference to the amelioration of the condition of the Maori race. One of their ideas was to establish a mixed settlement of Maoris and Europeans, and with that object the Bay of Islands Settlement Act was brought in. It was brought in with very little notice, and he thought too suddenly; indeed he complained rather bitterly, at the time, of the reticence of the Government in the matter, the Government not having given him time even to communicate with his own constituents upon the subject. Indeed, it was one of the errors of that Government that they were somewhat autocratic in their notions, and never condescended, as far as he was concerned, at any rate, to consult with members of the House in matters concerning their own districts, in which they might be supposed to have knowledge of particulars. But he might say that his honorable friend the Native Minister had shown no feeling of that kind, but had always been perfectly ready to communicate or receive information upon any subject. Well, he had to make up his mind, yea or nay, upon the subject, without communicating with his constituents, and as the General Government promised to spend money in the district, and, still more, as he did not like to mar one portion of a comprehensive scheme, he gave his vote for the Bill. That Bill passed through the House without opposition, even receiving the assent of the Superintendent of the Province for the time being. It might have been more prudent to have handed over the preliminary operations in the matter of survey to the Provincial Government. They had a survey staff at the time, and, though it was not well managed, at all events the provincial authorities knew what they had to do. But the General Government took it into their own hands. The first thing to be considered was, how were funds to be provided. It was provided that all receipts under the Act should be made applicable, in the first instance, to the payment of expenses incurred under the Act, and what remained over should be expended upon improvements within the district itself. He could recollect telling the Government at the time, that, in order to make the scheme a success, they should vote a certain sum of money to begin with. He remembered having, on that occasion, used the simile of the pump as illustrating the position in which they stood: in order to draw up water out of the well, it was necessary to wet the sucker. He told them that they should give a certain sum of money towards the undertaking. The Government declined to do that, but they put themselves into funds in a very irregular manner, namely, by the sale of Native reserves in the district. How those funds were accounted for since he was not aware, but probably the Native Minister could inform the House. The Government then proceeded

to make the surveys. Mr. Sinclair was sent down to verify, and he reported very strongly against them, but Colonel Mould reported as strongly the other way. Colonel Mould, he admitted, did not take the same amount of trouble as Mr. Sinclair did, but Colonel Mould's opinion appeared to have most weight with the Select Committee to whom the matter was subsequently referred. For various reasons, however, the General Government abandoned the scheme. They carried on the survey to a certain extent, but they took no steps in the way of bringing about a settlement of the district which had been surveyed. He would not go into the question regarding the difficulties which then arose, but he thought, if he had been consulted at the time, they could have been overcome. An attempt was made by the General Government to recover from the Province the expense incurred. The matter was referred to a Committee of the House in 1865, and he had before him the minutes of that Committee, of which he was a member. The opinion of Colonel Mould, relative to the value of the survey of the district, having been taken in preference to that of Mr. Sinclair, on the motion of the honorable member for Maitāwhiri it was determined that the survey of the outer boundaries should be charged to the Province, while the other portions of the survey should be charged to the General Government, which would diminish the entire charge by one-half. It was reported by the Select Committee that the Province ought to be debited with one-half the charge, which would amount to about £3,000 in round numbers. The original debt, he believed, by help of compound interest, had now accumulated up to £7,000. He was not quite sure of the exact sum, as he only spoke from memory. The report was brought up to the House, but no resolutions whatever were based upon it, so that at the end of the session it became, to all intents and purposes, a nullity. In 1864 the Governor's powers were delegated to the Superintendent, who immediately took measures to settle the district. He sent home Captain Daldy, who brought out a number of immigrants from the north of Ireland, forming what was called in the Auckland Waste Lands Act a special settlement. Of those a great many deserted the place after a short time, but a few remained. He (Mr. Carleton) was an officer of the Provincial Government at the time, and, by way of encouraging settlement, he wrote to the General Government, asking them for leave to permit some of the pick of what are called the forty-acre-immigrants to come within the special settlement, setting apart for them land to the extent of 2,000 acres. He stated, at the same time, that he knew there was a charge against the settlement, and that the security of the Government would be so far sacrificed as the 2,000 acres went, but added that he thought such an arrangement would be greatly to the advantage of the General Government. The answer received was favourable, and partially acted up to; but an Order in Council was required to confirm the arrangement. He believed that Order had never been obtained, so that, strictly speaking, all that was done was upon the intimation of the con-

sent of the Government, which would have to be made good by an Order in Council. He had been appealed to by several military officers for permission to take up their 400 acres allowed upon retirement from the service with a view to settling in New Zealand, within those 2,000 acres, but he had, in every instance, declined, as he considered he had no power, except in the case of forty-acre settlers. If he had had the power he would have been very glad to have accommodated a cousin of his own, whom he could have had under his own eye, but he refused to grant him permission to settle as he desired. Afterwards, however, when he was no longer in office, military officers were allowed to settle, but he thought that that was an irregular proceeding. However, the thing was done, and ought now to be made good. He suggested that the Native Minister should take a note of that and obtain an Order in Council upon the subject. He next came to the question of the debt. The debt was mainly incurred for surveys, which, from inaccuracy, were worthless. In addition to that, another debt was incurred for the purchase of land. It was considered that the most available place for a township was upon the Kerikeri River. The land, with the exception of some small portions, was of the most wretched description,—the greater part would not feed two grasshoppers an acre; still, there were some suburban portions that were tolerably good, and the situation of the township was no doubt advantageous. Mr. Edmonds received £2,000 for the land; he was also to get 500 acres at the Lake between Okaihau and the Waimate. The land was worth £3 an acre, given in exchange for land at Kerikeri. This was a mistake on the part of the General Government, and there was much confusion about the matter. A great deal of correspondence took place upon the subject, but the only important letter was one from Mr. Crosbie Ward, who was Postmaster-General in Mr. Weld's Ministry.

Mr. STAFFORD.—He was never Postmaster-General in Mr. Weld's Ministry.

Mr. CARLETON should have said the Fox-Whitaker Ministry. Well, there was a letter promising that land. But there were minutes upon it by Mr. Bell and Mr. Domett to the effect that the promise was conditional, and might be rescinded. He (Mr. Carleton) took a different view of the matter. He thought that the decision of the Government was final in the matter, and he laid the letter before Mr. Superintendent Whitaker, who agreed with him that the promise of the General Government, though unadvisedly given, had to be made good. He differed from Mr. Bell and Mr. Domett, and consequently the land was directed to be given to Mr. Edmonds' son. Shortly after that he (Mr. Carleton) left office, and whatever was done afterwards he did not know. He was afraid that there were residuary liabilities besides the £7,000, but no one seemed to know what they were. The General Government did not know what they were, nor did he believe the Superintendent knew either. The great question in his mind was, whether the Bay of

Islands was liable for those expenses at all. He did not rise to drive a hard bargain with the Government. He was quite sure that the Superintendent of Auckland and the Native Minister would be disposed to meet each other in the most liberal spirit. He rose merely to express his views upon the subject. In the first place, the Government had taken possession of the property of the Province. The expression "provincial property," as applied to the colonial estate, was, he believed, fashionable in the House, and it was in that sense he used it. He used the term under a kind of protest. The Government, with the best intentions, no doubt, took certain portions of the property of the Province for the purpose of effecting improvements. They spent a certain sum of money upon the land, and they spent it very injudiciously. They did not succeed in reimbursing themselves out of the expected profits, and the whole scheme fell through. He thought that the General Government could not take advantage—he would not say of their own wrong—but of their own *laches*. They had no right, in returning what was left of the land, to charge the Province with the expenses of their own failure. He believed that the scheme might have been made a successful one, and in that case the expenses of the Government would have been entirely recouped, but they did not think proper to carry it out, and, instead of that, they allowed the expenses to accumulate at compound interest up to the present day. On that ground he thought the Government could scarcely have any claim against the settlement. In the first place, the surveys were perfectly useless, and had always been so. If they had been able to take advantage of the surveys, he would have no objection to pay for them. In every case where the lands were required they had to be surveyed over again. He himself had to order new surveys over the old ground. In the next place, had the General Government dealt differently with the settlement of the Bay of Islands, they would have been able to recoup the expenses, and have left something to spare for the benefit of improvements within the district; for when the Bay of Islands settlement became in reality a wealthy settlement, through the discovery of a coal mine within its limits, they gave that chance away. Had that property been disposed of for its worth, they would have been enabled to materially improve the district and to pay off the debt with ease; but the General Government, upon the recommendation of the Provincial Government, thought proper to give it away. Having given away that valuable property, he thought the very least they could do was to cry quits as regarded the debt. He could not suppose that that portion of the debt which related to the survey would be insisted on by the Government. If it were a fair charge he would not be the one to extract from the Colony, at the expense of the other Provinces, what they should pay themselves. With regard to the sum that had been paid for the purchase of land, he thought they should take that land at its worth, though a great deal

more than its worth was paid for it. What he would propose was this: That the land should be sold by the Provincial Government, and that the receipts, whatever they might be, whether large or small, should be handed over to the General Government in payment of the original purchase money by the General Government. He had no objection to offer to the repeal of the Bill, though he had opposed it on one occasion, when it was sought to be repealed by an amendment on the part of the Legislative Council. That amendment would have taken effect but for him. He objected to it in that House, and a conference between the two Chambers was held. The effect of the repeal would have been to cancel the debt altogether. He had only to hold his peace and the Act would have been repealed and the debt cancelled. But that was not his way of going to work. He had ever been opposed, even by silence, to allowing the House, so far as he was concerned, to be deceived, or even fall into error. He showed at the conference what the result would be if the Act were repealed. The amendment was accordingly withdrawn, and the debt of the Bay of Islands settlement remained in force. He preferred asking, fairly and above-board, for that which it had been in his power to obtain through a manoeuvre. He might add that he had another reason at the time in opposing the repeal. It was, that if the land became attached to the Province, he was afraid that the money received from the sale of it would have gone to the provincial treasury to be spent on salaries, and not upon the district. He might be asked why the objection did not apply now. His answer was this: He was satisfied that the present Superintendent would do all he could to improve the district to which he belonged, and that whatever proceeds arose from the sale of the land would be judiciously applied. It was all a matter of confidence. If he had not that confidence he would oppose the repeal of the Act; having that confidence he was perfectly willing to support it. His main object in rising was to lay the facts connected with the indebtedness of the settlement before the House. He knew that there was a feeling in the minds of members from the Middle Island that there were certain assets which the General Government should lay hands on, and bring as soon as possible into the general treasury. It was to those members more particularly that he addressed himself, in order that they might be able to understand the real nature of the claim against the settlement.

Mr. MACANDREW had been listening attentively to the honorable member who had just sat down, in order to ascertain whether he (Mr. Macandrew) should vote for the motion or oppose it, and he could not come to any satisfactory conclusion from anything the honorable member had said. He would put it to the honorable member whether it was wise, at this period of the session, when moments were equal to sovereigns, that over half an hour should be taken up in discussing the question of whether leave should be given to bring in a Bill. That was a privilege usually accorded to private members, and espe-

cially to a member of the Government, without discussion.

The SPEAKER said the honorable member was not in order in questioning the right of any member to do what he thought proper in debating any subject.

Mr. MACANDREW.—I do not question the right, but I question the propriety.

The SPEAKER.—It is not customary to do as much as that even.

Mr. MACANDREW would only say that, so far as the speech of the honorable member for the Bay of Islands was concerned, he was unable to understand its object.

Mr. WILLIAMSON did not think the House would object to grant leave to introduce the Bill. He was glad the Government had taken action in the matter. He had long ago been anxious for the repeal of this Act, although he had been a party to the passing of it. He had willingly consented, in 1858, to the establishment of a mixed settlement of Natives and Europeans in the Bay of Islands; but as no practical action had ever been taken by the General Government to carry out the scheme, he had, since then, been desirous that the land at the Bay of Islands should be placed under the Auckland waste lands regulations, that it might be colonized by the Provincial Government. He was very much pleased to find that the General Government had at length taken action in this matter, especially at this time, when the Superintendent of Auckland, assisted by the General Government, was setting about in earnest to colonize the lands of the North. He believed there would be no objection to granting leave to bring in the Bill, and, when it came on for the second reading, he would, perhaps, have occasion to comment upon some of the remarks made by the honorable member for the Bay of Islands.

Mr. McLEAN would refrain from making any observations on the Bill, but would merely ask leave to introduce it. The Government had been most anxious to promote the settlement of that part of the country, and with that object desired to introduce this Bill and repeal the Act of 1858. That part of the country had been in a state of absolute stagnation for a great number of years, and, in the absence of some administration, a great extent of land available for settlement was unoccupied. The Government had moved in this direction in order that the settlement of the Bay of Islands should be carried on, and that it might progress with some degree of vigour. He would reserve any further comment with reference to the adjustment between the honorable member for Mongonui and the General Government till the second reading of the Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Tuesday.

FIRST READINGS.

The Town of Gisborne Land Sales Validation Bill, the Mohaka and Waikato District Sale Bill, and the Poverty Bay Crown Grants Bill, were brought in, read a first time, and the second readings fixed for next sitting day.

BALLOT BILL.

Mr. BARFF, in moving the motion standing in his name, would merely call the attention of the House to the fact that on a former occasion, when the House was asked to agree to certain amendments made by the Legislative Council in the Regulations of Elections Bill, he moved that the last amendment should not be agreed to, and, consequent upon his amendment being carried, a Committee was appointed, consisting of three members, to prepare reasons for disagreeing with that amendment. His object in now withdrawing his opposition to the last amendment was because he had been informed that a member of the Government intended to introduce a Bill to extend the operations of the Regulation of Elections Act to the County of Westland. On the assurance of the Premier that such would be the case, he begged to move the resolution standing in his name.

Motion made, and question proposed, "That the Committee appointed to draw up reasons to be transmitted to the Legislative Council for this House disagreeing to the amendment made by the Council in clause 72 of the Regulation of Elections Bill be discharged and the said amendment be agreed to."—(Mr. Barff.)

Mr. FOX said the honorable member had correctly stated that he (Mr. Fox) had given the assurance referred to, and provision would be made for bringing the County of Westland within the operation of the Regulation of Elections Bill.

The vote of the House by which it disagreed with the amendment made by the Legislative Council was rescinded, and the amendment agreed to.

ROBERT JOHNSON LAND GRANT BILL.

Mr. LUDLAM moved, For leave to bring in a Bill to carry out the recommendation of the Public Petitions Committee on the petition of Robert Johnson. The House would, no doubt, remember that a report was brought up by the Select Committee, recommending that the petitioner, Robert Johnson, should have a grant of 400 acres of land in the Province of Wellington. The report had been referred back to the Committee, in order that the evidence of the honorable member for the Hutt (Mr. Fitzherbert), and Mr. Holmes, clerk in the provincial land office, might be taken, so that the Committee might arrive at a decision as to whether the application had been made by the petitioner for the grant of land in accordance with law. The Committee had taken the evidence of those gentlemen, and of Mr. Jackson, chief surveyor, who was a passenger with the petitioner, and the Committee arrived at the opinion that the application was made in due form, as required by law—that the petitioner had personally applied to the then Commissioner of Crown Lands for a grant of land in 1863. The petitioner left India owing to the inducement held out to him that he would receive a grant of land. The officer commanding the regiment forwarded the certificate to the War Office, stating that the petitioner left his regiment for the purpose of settling in New Zealand.

The application was made in good time, although the certificate was not within the prescribed time laid down. Morally speaking, although not strictly legally speaking, the petitioner was fairly entitled to receive from the Province a grant of land. The petitioner had remained a settler in this country for a considerable number of years, and he was a very persevering and hard-working man. He would not have come to New Zealand had it not been for the inducement held out to officers who might serve in Her Majesty's service. He therefore trusted the House would give him leave to bring in the Bill.

Mr. TAYLOR said it was a most unusual thing to object to the introduction of a Bill, and he did not intend to do so, but merely wished to give the honorable member notice that it was his intention to oppose the second reading of the Bill. He would, on that occasion, state his reasons for opposing the Bill. The Province could not afford to give any more land away in the manner proposed, and the petitioner had not complied with the law. The Province had suffered from the quantity of land already given away. During the last few months the Province had granted land, or signed certificates, to the value of £12,000 to volunteers and military settlers.

Mr. LUDLAM said the honorable member had taken the right course in intimating his intention to oppose the second reading of the Bill. The fact of the Province having granted so much land to volunteers had nothing whatever to do with this question. The Government of the Province of Wellington had deliberately, with their eyes open, adopted the principle they were, perhaps, now suffering from. The Provincial Government had no right to complain of their own acts to that House. He trusted the House would not allow itself to be influenced by any such reason as that advanced, and that it would give him leave to bring in the Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

OTAGO WASTE LANDS.

Mr. CREIGHTON, in moving the motion standing in his name, said he had been induced to place it upon the notice paper as a member of the Public Petitions Committee. That Committee had reported upon the petition of 247 settlers in the Tuapeka district, recommending the prayer of their petition to the favourable consideration of the House. A question of order was raised in the Committee as to whether it was competent for the Public Petitions Committee to consider any petitions which had reference to gold fields, owing to the fact that a sessional Gold Fields Committee had been appointed, and that the petitioners were agricultural settlers within the boundaries of the Otago gold fields. The majority of the Committee, on that occasion, considered that the order of reference of the House did not give the Gold Fields Committee the power of considering any questions except those affecting purely mining interests. However, when the report was brought before the House, Mr. Speaker

ruled that the petition should be referred to the Gold Fields Committee, and it was accordingly referred to that Committee. The Gold Fields Committee, instead of considering, as he believed, the merits of the petition, or reporting upon it, brought up a report which, according to his judgment—he might be in error—was one which the House ought hardly to have received, inasmuch as it was entirely contrary, in its spirit, to sub-section 10 of section 19 of the Constitution Act, which declared that it should not be lawful for a Superintendent and Provincial Council to deal with the waste lands of the Crown. The Gold Fields Committee reported, not merely on that petition, but on two other petitions from the gold fields of Otago, which had been referred to them, in the following terms:—"That the subject of these petitions, involving as it does, both a retrospective and prospective reduction of the price of land in the Province of Otago, ought to be submitted, in the first instance, to the Provincial Council of that Province, and that the petitioners be advised to that effect." That was the resolution agreed to by the Committee, and embodied in an interim report. He hardly thought that that was a report which should have been submitted by any Select Committee to the House, and he thought they should remit that report to the Gold Fields Committee for re-consideration. He understood that since he had put his notice on the paper, some little difficulty had arisen in this way: the Gold Fields Committee had considered the petition from Mount Benger, which was exactly in the same position with regard to the gold fields as the three previous petitions. A report was laid on the table, on the 23rd August, from the Gold Fields Committee, on the Mount Benger petition, in which the following resolution was reported:—"That the consideration of petitions relating to the administration of the waste lands of the Crown on the gold fields be postponed, and that the Chairman apply to the House for a definition of the powers of this Committee in respect of such petitions." In practice the powers had been defined by the House, inasmuch as those petitions were first sent to the Public Petitions Committee, and, on being reported on in a formal manner, were afterwards sent by the House to the Gold Fields Committee; and yet they found, in the first place, that the petitioners were not recommended to have redress from that House, but they were instructed to go to a Legislature which had no power to grant them redress. In the second place, the Gold Fields Committee came to the House and asked it to define its power. He was not in the House on the previous day, but he was informed that the House, by negating the resolution proposed by the honorable member for Port Chalmers, to the effect that the Gold Fields Committee should be empowered to consider questions affecting the waste lands of the Crown within the gold fields, had placed the question practically in this position: about 1,000 agricultural settlers within the gold fields area of the Province of Otago had come before the House by petition, asking the House to grant them redress, by altering the law in a particular direc-

tion. He believed the petitioners were absolutely—he would not say by intention, because the House could not intend any such thing—they were absolutely debarred from obtaining any relief whatever. He thought, at all events, that that was a state of things which the House should not allow to exist. He thought when persons came before that House in a respectful manner by petition that their petition ought to receive due consideration. He would not enter fully into the question of the policy of the law which the petitioners sought to have altered; but he would say that, looking at the Act which had been introduced into the Congress of the United States affecting the mineral lands of California, it would be wise for the House, in the interest of the permanent settlement of the country, to offer the most liberal terms possible for locating an agricultural population upon the mineral lands of the Colony. He was not now speaking with regard to Otago alone, but with regard to all the Provinces of the Colony. He would read the resolutions adopted last year by the Assembly and Senate of the California Legislature, which were incorporated in an Act submitted to the Congress of the United States, and which he believed would become law there. He would read the resolutions to show that it was absolutely necessary, if this Colony was to retain its mining population, and settle them upon the soil, they should consider, in the most favourable spirit, the prayer of the petitions now before the House. The resolutions were:—

"Whereas, the existing laws of the United States, and the regulations of the department of the interior, in relation to the acquirement of title to mining claims, are onerous in their provisions, and expensive to the people, in such a degree as to be inoperative, and virtually prohibitory in a large majority of cases, where parties owning and working mining claims are desirous of procuring title to such mineral lands; and

"Whereas, in our opinion, no good reason exists why the mineral lands of this state, wherever sectionized, should not be sold by the Government of the United States to the occupants who claim and possess the same in good faith, under the local rules and regulations established and in force in the mineral regions; and

"Whereas, sound policy dictates that the settlers, occupants, and possessors of the public domain, should be vested with the absolute title to such lands and possessions so occupied by them, to the end that immigration into, and permanency of settlement in, the mining districts, may be encouraged, titles become settled and secured, the property itself brought more directly within the rules of law governing real estate, and for revenue purposes, and the welfare of the several counties and of the state thereby enhanced; therefore, be it

"Resolved by the Senate, the Assembly concurring herein, that our senators in Congress be, and they are hereby instructed, and our representatives requested, to propose and urge such proper and necessary legislation by the Congress of the United States as will permit claimants of

mines and mining claims to procure title to the mineral lands occupied and possessed by them, in legal subdivisions of ten acres, and in extent not exceeding one hundred and sixty acres, to any one person, or company of persons associated, in like manner, and under similar provisions of law and regulations as now prescribed for the proving of pre-emption claims, and at the same price per acre as is now prescribed by law for agricultural lands.

"Resolved, that His Excellency the Governor be and he is hereby requested to forward copies of the preamble and resolutions to each of the senators and representatives from this state, in the Congress of the United States."

That was the policy which had been adopted by the Legislature of the State of California, with which New Zealand was entering into intimate commercial, and he might almost say, political relations. It would be quite necessary to consider the grievance, or, if it were declared not to be a grievance, the policy of the petitions which were then before the House. He trusted that the resolution would be agreed to, and in order that there should be no difficulty in the matter, he would suggest that it would be desirable to refer the petitions back to the Public Petitions Committee, where they would be considered on their merits, if the House should be of opinion that the Gold Fields Committee was not a competent tribunal to decide such questions. He would not further detain the House, but would simply move the resolution standing in his name.

Motion made, and question proposed, "That the report of the Gold Fields Committee on the petition of certain settlers in the Province of Otago, residing in the Tuapeka, Black's, and Lower Manuhirikia districts, be remitted to the said Committee for reconsideration." — (*Mr. Creighton.*)

Mr. MAIN said that, before the resolution was put, he should like to say a word or two with reference to the remarks which had fallen from the honorable member who had moved it. The reports by the Gold Fields Committee, which he wished to refer to, were founded upon petitions presented to the House, and which related to the settlement of the waste lands of the Colony, and not to mining matters. The order of reference which the Gold Fields Committee had acted upon was as follows:—

"That a Select Committee be appointed to consider all Bills and petitions that may be introduced into this House affecting gold fields, and to report generally upon the provisions and principles which any such Bills or petitions may contain, with power, &c."

The petitions referred to did not relate to mining matters at all, but to questions affecting the settlement of the waste lands of the Crown. He thought that, after the decision at which the House arrived yesterday, it would be impossible, unless that decision were rescinded, to affirm the honorable member's motion. The petition referred to was the petition from the residents at Mount Benger. He would read the prayer of that petition to the House:—

"That blocks of land should be set apart for agricultural leasing on the gold fields, in like manner as provided by the Hundreds Regulation Act of 1869, so as to secure a suitable amount of commorage in connection with all agricultural leaseholds.

"That provisions should be made whereby the rents payable in respect of any agricultural lease shall be held as payment on account of the purchase of such land.

"That as soon as possible after any person may apply for any land, all possible expedition may be used to place such party in possession of the land so applied for."

Now, he put it to the House whether there was anything whatever in the prayer of that petition relating to mining or mineral matters. The miners wished to become farmers and graziers. The petition related to the waste lands of the Crown, and should be taken into consideration by the Waste Lands Committee. He asked the House, after listening to the resolutions which were read by the honorable member, whether those resolutions did not relate solely to mineral lands and mining regulations in the United States. They had nothing whatever to do with agriculture or settlement on the land. Individually, he had no objection to take into consideration any petition relating to the agricultural leasing sections of the Gold Fields Act of 1866, but he put the question fairly to the House yesterday, and, as Chairman of the Gold Fields Committee, asked for instructions, and the House negatived the motion, "That all petitions relative to agricultural leases on gold fields be referred to the Gold Fields Committee." He took it for granted, therefore, that in future such petitions as the Mount Benger petition would be remitted to the Waste Lands Committee. The constitution of the Gold Fields Committee was such that the members thereof had little or no personal knowledge on the subject. If it had been considered that the duties of the Gold Fields Committee extended to such matters, it would have been differently constituted, but the members of that Committee sat to deliberate, not upon land tenure and settlement, but upon mining matters. He therefore asked the House to negative the resolution of the honorable member, and let the petitions be referred to the proper tribunal—the Waste Lands Committee—who, no doubt, would take them into consideration.

The SPEAKER said it appeared to him that the motion raised a question upon which the House had already expressed an opinion. He found, on reference to the minutes of yesterday's proceedings, that,—

"Mr. Main, with leave of the House, moved, and the question was proposed, 'That all petitions relative to agricultural leases on gold fields be referred to the Gold Fields Committee,' and the question being put thereon, it passed in the negative."

So that a motion to a similar effect was negatived by the House yesterday. The honorable member for Newton, however, would contend that he did not seek to controvert the general

rule which had been laid down, but he merely wished the House to deal with this particular case. There could be no doubt that, as regarded the question generally, the House had pronounced an opinion that petitions of that sort were not referable to the Gold Fields Committee.

Mr. MACANDREW thought the House ought to determine what tribunal those petitions should be referred to; they should not be bandied about from the Gold Fields Committee to the Waste Lands Committee. He should be sorry to see the petitions shelved without being duly inquired into. He should be content that they should be referred to either Committee. For his own part he thought they should be referred to the Waste Lands Committee, but if the House should be of opinion that they should be referred to the Gold Fields Committee he should be content; in any case, the House should not ignore the petitions altogether. There were statements in the petition which had been read by the honorable member for Port Chalmers which, with respect to evidence, required to be taken. He should be sorry to see the inquiry shirked, and therefore should like to see the House decide to which Committee it should be referred.

Mr. BRADSHAW said, if he understood the motion of the honorable member for Newton rightly, he did not wish that the petitions should be sent back to the Gold Fields Committee, but only that they should be referred to some Committee.

The SPEAKER.—The motion of the honorable member was for the re-reference of the report to the Gold Fields Committee.

Mr. CREIGHTON said he would accept an amendment to that effect if any honorable member would move it, so as to get rid of the difficulty which the resolution of last night had placed him in.

Mr. BRADSHAW said the report as brought up by the Gold Fields Committee did not refer the petition to any other Committee of the House, but referred it to the Provincial Council of the Province of Otago, which was simply burking the question altogether.

Mr. HAUGHTON said it was very much to be regretted that the House did come to the conclusion yesterday that the Gold Fields Committee could not entertain petitions of this character, because it appeared to him that the petition had reference to subjects provided for by the Gold Fields Act, and, therefore, was clearly referable to the Gold Fields Committee. If not, he was at a loss to conceive what the Gold Fields Committee was appointed for. The Committee had taken the most extraordinary course of referring a petition which had been presented to the House to the Provincial Council of Otago. He thought that the petition, which referred to gold fields matters, should be referred to the Gold Fields Committee.

Mr. DRIVER thought that the honorable member for Newton gave notice of his motion solely on the ground that the petition had been referred to the Provincial Council of Otago. He quite concurred with him. He believed that

thing had been done carelessly and inadvertently, and that it was not the intention of the Committee to make such a report. He quite concurred in the remarks of the honorable member for Clutha, that the petitions should not be bandied about from one Committee to another, but should be dealt with by some one. The petition referred to the waste lands, and it was, therefore, competent for the House to refer it to the Waste Lands Committee. He therefore moved, as an amendment, that the petition, instead of being referred to the Gold Fields Committee, be referred to the Waste Lands Committee.

Mr. CRACROFT WILSON, C.B., agreed with the amendment of the honorable member for Roslyn. He might say, in the language of the Adulteration Committee, that the petition referred to was a waste lands petition, slightly adulterated with gold. The prayer of the petition was that the tenure of land on the gold fields should be altered. He thought that, according to the letter of the resolution adopted by the House, all matters *bona fide* relating to the gold fields should be referred to the Gold Fields Committee, but that this petition should be referred to the Waste Lands Committee. He, therefore, had great pleasure in seconding the amendment.

Mr. BARFF said it appeared to him that the whole of this difficulty had arisen from the constitution of the Committee. On going through the list he found only a few of the members on that Committee who knew anything about gold fields.

Mr. MAIN did not think the honorable member was justified in attacking the constitution of the Committee.

Mr. BARFF said that, in making the remarks he had made and was about to make, he threw no imputation whatever upon the Committee, but he simply said that if the House chose to appoint gentlemen upon that Committee who were not connected with, and were not intimately acquainted with, the interests of the gold fields, it would be simply absurd to expect them to discuss and deliberate upon matters connected with the gold fields. They had not that amount of practical knowledge which might fairly be expected in members constituting a Gold Fields Committee. He observed, from the resolution under which this Committee was appointed, that all matters relating to the gold fields were to be referred to it. His own opinion was that the House should adopt the policy of endeavouring to attach the miners to the soil, and induce them to settle on the gold fields. He considered that any miner who settled on the land as an agriculturist was a valuable settler. The honorable member for Port Chalmers might find himself in the position of being incapable of considering questions of a practical nature, such as would be referred to that Committee. He did not mean anything offensive to the honorable member, but persons did not possess that kind of knowledge by intuition, and he did not suppose that the honorable gentleman did know much about gold fields. An honorable

member said that he (the honorable member for Caversham) lived in the midst of them. That might be, but a man's living in a stable would not make him a horse. Several of the Committees might have been appointed under the ballot system with advantage to the House and to the country. He objected altogether, on principle, to such a matter as this being referred to the Waste Lands Committee, as the questions raised in the petitions were questions specially affecting the gold fields and no other interest.

Mr. MCINDOE rose to propose a further amendment, simply with the view of carrying out the principle which he held, that a petition having been presented to this House should not be bandied about from one Committee to another. The addition which he proposed to make was simply to insert the words "Mount Benger," so that this petition might also be referred to the Waste Lands Committee with the others.

Mr. HAUGHTON thought that the Waste Lands Committee had nothing to do with the matter, and that it should be referred to the Gold Fields Committee. He should oppose the amendment and support the original resolution.

Mr. O'NEILL said, on referring to the resolution passed last session on the motion of the honorable member for Coleridge, seconded by the honorable member for Avon, he found it stated—

"That at the commencement of the session a Select Committee, analogous to the Waste Lands Committee, be appointed to consider all Bills and petitions that may be introduced into the House affecting the gold fields of the Colony, and to report generally upon the provisions and principles which they may contain."

He thought it right that the House should bear in mind that all questions relating to the gold fields should be referred to the Gold Fields Committee.

Mr. HALL said it was also true that all petitions relating to the waste lands of the Colony should be referred to the Waste Lands Committee. It appeared to him that these petitions should be referred to both Committees, first to the Gold Fields Committee and then to the Waste Lands Committee.

Mr. CREIGHTON, in reply, said that one of the objects which he had in view had been gained. It was a matter which, perhaps, had not struck many honorable members who had previously addressed the House. He desired to show, by bringing up the question, the extreme inconvenience of referring matters of principle to a Select Committee, and not dealing with such questions in the House. He spoke with all deference as a young member of the House, following in the steps of members who had had much larger experience than himself in these matters, but he thought the Assembly, in the last session or two, had been going in a direction which had not been an improvement on its proceedings, and which, instead of decreasing had tended rather to increase its labour. They found that a petition was referred to the Public Petitions Committee, which reported on it; that report was held to be not exactly in order; the petition was then sent to

another Committee, which referred the petitioners to the Provincial Council of Otago, a Legislature which the petitioners did not petition, and which could not afford them redress, however desirous; and now an honorable member proposed that the report should be referred to another Committee for consideration. An interim report was presented, and a resolution was passed which almost had the effect of preventing these petitions being considered on their merits by the House. It was against that procedure which he desired to protest by his motion. He had also another reason. He thought that the report of the Gold Fields Committee ought not to appear on the journals of the House. He thought it would be recognizing a very dangerous principle to say that Provincial Legislatures should legislate for the waste lands of the Colony. On that ground alone it would have been well for the House to have sent back the report to the Gold Fields Committee, with the view of their bringing up some other report which the House might properly have entertained and entered on the journals. The honorable member for Roslyn had very fairly stated one of the main reasons which he (Mr. Creighton) had had for moving the resolution. But that honorable member had told the House that he was not aware that such a report was to be brought up to the House. He had a copy of the minutes of the Gold Fields Committee, dated the 12th August, 1870, before him, where he found that it was moved by Mr. Macandrew, "That the subject of this petition, involving, as it does, both a retrospective and prospective reduction of the price of land in the Province of Otago, ought to be submitted, in the first instance, to the Provincial Council of that Province, and that the petitioners be advised to that effect." That was a resolution which he would expect to be moved by the honorable member for Clutha. He found that a division was taken upon that resolution, and that there were six "ayes" and one "no." Mr. Bradshaw was the only dissentient, and the ayes were Messrs. Gillies, Macandrew, Mervyn, Swan, Kynnersley, and Driver. This was followed by another resolution, to the effect that the Committee should make an interim report to the House, embodying the foregoing. He supposed the honorable member for Roslyn was engaged on other Committee work, and did not understand the full effect of the resolution. He held the minutes of the Committee in his hand, and it appeared that not only was the honorable gentleman a consenting party, but also that the honorable member for the Thames Gold Fields, and the honorable member for Manuherikia, who was the champion of the small agriculturists of Otago, were consenting parties.

Mr. DRIVER rose to explain. He thought he had stated the reason fairly enough, and the honorable member should not have made use of it in the way in which he had done. He had explained that he was sitting on the Committee, but several of the members left the room before the resolution was written out. It had been talked over, and it was decided what resolution

should be recorded, but he never saw it written. He supposed the honorable member for Clutha drew the resolution up rather hastily, without thinking that he was referring the petition to another Legislature.

Mr. CREIGHTON thought, after the explanation of the honorable member, that the House might possibly do well to make an exception with regard to the resolution which he had proposed, and refer this report back to the Gold Fields Committee. He could not conceive how it was possible for a Committee to make such a report, and to have their proceedings conducted so loosely as appeared to be the case in that instance. There was no excuse for Committees committing any breach of order, because the Standing Orders regulating the proceedings of Select Committees were exhibited in each Committee room. He thought, after the explanation of the honorable member for Roslyn, that it would be well for the Gold Fields Committee, for its own sake, to request to have the report sent back for reconsideration. However, he was quite content with the debate, and would accept the amendment.

Amendment carried, and motion as amended agreed to.

Mr. MERVYN wished to make a personal explanation, as he had been referred to. When he assented to the proposal which was brought forward by the honorable member for Clutha, he did so under a misapprehension, and he caused that to be inserted in the minutes of the next meeting. He might say that at the same time as the meeting of the Gold Fields Committee, there was also a very important meeting of the Waste Lands Committee, of which he was a member, and he was desirous, as a question affecting the Province of Otago was under consideration in the Waste Lands Committee, to be present, and he assented to the resolution of the honorable member for Clutha rather hastily.

Mr. SWAN wished to make an explanation of a similar kind. When he heard the report of the Committee read in the House referring the matter to the Provincial Council of Otago, he distinctly stated to honorable members who were sitting near him that it was not the report for which he had voted. The honorable member for Mongonui brought up a resolution which did not appear in the minutes, and which, he thought, would be in the report. His name appeared in the minutes as not agreeing with the report actually brought up.

UNIVERSITY BILL.

Mr. MAIN, in moving the motion standing in his name, said he thought the Speaker was with him in his opinion that the circumstances under which the Chairman of Committees left the chair on this Bill were such that the Bill might be reinstated on the order paper. He would refrain from entering upon the merits of the Bill, and hoped other honorable members would do the same until the Bill was on the order paper.

Motion made, and question proposed, "That the New Zealand University Bill be ordered to be committed next sitting day."—(*Mr. Main.*)

Mr. HALL said, as the proceeding taken by the honorable member was, to his mind, a novel one, he would be glad if the Speaker would be good enough to state whether a Bill, having been once disposed of in the manner in which the Bill under discussion had been, it could be renewed again.

The SPEAKER said the motion was perfectly regular. When no report was made by a Committee in consequence of the Chairman leaving the chair, it was perfectly regular afterwards to order that the Bill be reconsidered by the Committee; but, when the House went into Committee, the Bill would be taken up exactly where it was, and the amendments which had already been made would stand.

Mr. TANCRED said his object in rising on that occasion was to give notice of an amendment which he intended to suggest when the Bill went into Committee. He proposed to the honorable member for Port Chalmers whether it would not meet all the objects of the Bill if he were to alter his motion in some form to modify the title of the Bill. As he understood its object it was, that in consideration of the Province of Otago having made an endowment for a university of a very liberal nature, it was only fair, and he quite agreed with that, that the Province should have the honor of having the first University of New Zealand established within it. He agreed with that, but he should like to see it made in name what it would be in reality, a Dunedin University. If they once established an institution under the name of a New Zealand University, it would, for all time, give a certain position of inferiority to any other university which might be established in the Colony. This inconvenience had already been experienced in ecclesiastical matters. When the Bishop of New Zealand came to the country it was found to create confusion to have one diocese overriding all the other dioceses, if only in name. It was true there was a provision in the Bill for voting by proxy, which, to a certain extent, would give a colonial character to the university body. Now, what he objected to in the Bill was, that although the governing body of the university was called a Council and Senate, consisting of persons from the whole of New Zealand, practically the government of the university will be in the hands of Dunedin gentlemen. There was another objection to making the whole of New Zealand responsible for the conduct of the institution, and that was, that the most important functions which they had to perform had already been performed, as the professors had been appointed.

An Hon. MEMBER.—No.

Mr. TANCRED.—Well if they had not been appointed, instructions had been sent to England to appoint them, and they would have been appointed before any agreement was come to upon the subject. He was not quite sure, but it struck him that it stated in the report that instructions had been sent to England and to Europe to appoint professors. What he had stated was merely to indicate the direction which he should like to see the Bill take, and as a suggestion to the honorable member. He was not

going to oppose the Bill, or do anything that could retard the working of the measure.

Mr. MACANDREW said the honorable gentleman who had just sat down was labouring under a misapprehension. The appointment of professors had been postponed expressly with a view of leaving such appointments to be decided by the New Zealand University Council. All the preliminary steps had been taken with a view to the appointments, but they had been postponed in order that the responsibility of making them should rest with the Colonial Council.

Mr. TANCRED asked if he were to understand that the instructions to Messrs. Auld had been withdrawn?

Mr. MACANDREW.—No, but the final ratification of the appointments had, he understood, been postponed pending the Otago University Council transferring its functions to the New Zealand University Council. He thought it right that the House should understand, with regard to the university, that Otago did not ask the Colony for anything. They were perfectly contented with the university which they had already taken steps to initiate, which was to be called the Otago University, but of course it was their wish that the thing should be recognized by the Colony. They did not ask the Colony for one single shilling, and the proposal to vote money did not come from them. That proposal was brought down to the Select Committee, of which he was a member, by the honorable member for the Hutt (Mr. Fitzherbert), and he (Mr. Macandrew) went in strongly for reducing the amount which that honorable member first proposed. He was sorry there should have been so much of the dog-in-the-manger spirit exhibited in regard to this matter. He assured the House that Otago had no desire to appropriate to itself the funds of the Colony. If the Colony chose to take advantage of the machinery which they had initiated he would be delighted. Any money which the Colony expended on behalf of the university should not, in the meantime, be devoted towards the appointment of professors; he thought that the four professorships which Otago had already endowed would suffice for several years to come, and that the colonial grant should be applied to the establishment of scholarships, which would be open to competition by the different parts of the country. He hoped the honorable member for Port Chalmers would be allowed to place the question in the same position in which it was the other day, and that that great undertaking might be allowed to proceed.

Mr. BUNNY trusted that the House would allow the Bill to be recommitted without further debate, as, when the Bill was again in Committee, they would go fully into the matter.

Motion agreed to.

GREY VALLEY AND TEREMAKAU.

Mr. BARFF moved, That the Select Committee appointed to consider and report upon the petition of the inhabitants of the Grey Valley and Teremakau districts, praying for annexation to the Province of Nelson, be discharged. He was

taking rather an unusual course, and he would explain to the House that, some days since, he wished to make certain remarks, calling the attention of the House to the fact that a certain Committee had not reported, and that the time asked for when that Committee was appointed had expired long since, and that no steps whatever had been taken to inform the House what had been done. He had had no opportunity of making those remarks, and that was the reason of his placing his motion on the order paper, so that the House might know the real facts of the case. The Committee was appointed on the 4th of August and were to have reported in a week. A few days after it was appointed, at the suggestion of an honorable member on the Government benches, the honorable member who originally moved for the Committee asked to have his (Mr. Barff's) name added to the Committee. Up to within the last hour and a half he had never received any notification to attend any sitting of the Committee, nor did he receive any information as to what was being done by the Committee. He could only say that, as a member representing a very large and important constituency in Westland, which district might be very largely affected by any action of that Committee, he felt bound, in justice to himself, to his district, and likewise to the House, to bring the matter under the notice of the House. The Committee were supposed to have been sitting for twenty days, and no information whatever had been furnished as to its proceedings. But it was a most remarkable circumstance that although he, a member of the Committee, had been entirely ignorant of what had been done, it appeared that information relative to the proceedings was furnished from time to time to a newspaper on the West Coast. He would not allude to that as a breach of privilege, although it might possibly be one. With the permission of the House, he would read an extract from the *Grey River Argus*, which would show that the entire proceedings of the Committee had been made public. The article commenced by referring to the petition itself, and went on to say:—

"The petition was referred from one Committee to another, until it was placed in charge of a Select Committee, of which, we are happy to say, Mr. W. H. Harrison was appointed the Chairman. It may be a slight breach of confidence to relate subsequent proceedings, yet we think the importance of the subject to the residents in this district warrants it. We understand that Mr. Kynnersley at first joined heartily with Mr. Harrison in his endeavour to obtain the alteration of the present boundary line between Westland and Nelson, at the same time he protested against annexation to Nelson for reasons best known to himself. After consultation, these two Westland members arrived at a basis upon which to ask the assistance of the Government, namely, that Westland should be taken over by the General Government from the Razorback to the Otago boundary, but sub-divided into two districts, one from Razorback to the Teremakau, and the other south, and each having its officer in

charge, appointed by the General Government, and all the surplus revenues administered by boards of works, consisting of the mayors of municipalities and chairmen of road boards in the districts. To this Mr. Vogel would not consent—he wanted no further division of the Colony, but was in favour of union, somewhat after the example of the Otago and Southland Reunion Bill. We regret to say that because Mr. Kynnersley could not get his pet scheme carried, he turned his back on his colleague and refused to have anything further to do with the matter. However, Mr. Harrison persevered, and, after another interview with the Colonial Treasurer, induced him to say that if the Nelson members did not object to annexation the Government would not.”

Mr. W. H. HARRISON.—As the honorable member who had moved for the Committee stated, the article which the honorable member was reading did not bear the slightest relation to anything that took place in the Committee.

The hour of half-past five o'clock having arrived the Speaker left the chair.

HOUSE RESUMED.

On the House resuming at seven o'clock,

WELLINGTON WASTE LANDS BILL.

Mr. BRANDON, in moving the second reading of this Bill, said he wished to explain that its object was to enable the Superintendent, with the advice of his Executive Council—or, as had been suggested to him, with the advice of the Provincial Council, to which alteration he was willing to assent—to set aside certain blocks of waste land for the purposes of special settlement, on such terms as might be assented to by the Provincial Council. He trusted that the Bill would not be opposed, as it was introduced with a view to introducing immigrants into the Province, not in the ordinary way—not altogether labourers—but for the purpose of introducing immigrants from England upon some such plan as that upon which the original settlements were founded. They wished to introduce not only labour but capital to the country. He wished them to be settled upon the old principle, which had the effect of creating a bond of union amongst those who immigrated, and that would cause them to become permanent settlers upon the soil. The scheme was suggested previous to the Superintendent leaving for England, and he (Dr. Featherston) had been requested to bring such a scheme into operation if found feasible. Correspondence had since been had with him upon the subject, and he therefore hoped that there would be no opposition to the Bill, so as to prevent the Province carrying out so desirable a scheme. The other provision was for the purpose of removing certain doubts which had arisen relative to the power of the Province to relet their waste lands, or grant further leases for pastoral land, upon any other terms than those upon which they were originally let. When a license was granted, the rent commenced at a very small sum, and gradually increased from one farthing to a penny per acre. It had been suggested that they must

again commence with a farthing an acre and go on increasing as before. He did not believe that was the case, but, as some doubt existed, it was better to set the matter at rest by an Act of the Legislature. It was intended that, upon the termination of the existing licenses, the Land Commissioner should have power to reissue those licenses to the parties who previously held them, subject to the regulations for the time being affecting licenses, and that he should issue them, in the first instance, to the former holders, if they desired it, and, failing their taking them up, to issue them to others who might be willing to accept them upon such terms as might be deemed reasonable. In order to show that the Province did not wish to give the occupation of the land for a mere trifle, he might mention that there was a proviso to the effect that in no case should less than twopence an acre be required. Those were the only provisions contemplated by the Bill, and he therefore begged leave to move the second reading.

Mr. LUDLAM did not wish to oppose the Bill, but he thought, as the matter would be referred to the Waste Lands Committee, that the meaning of the word “terms” should be stated to the House. If it alluded to the price upon which the lands would be let, he felt certain the question would be raised before the Committee.

Mr. BUNNY imagined that the meaning of the word was simply upon such terms as the Provincial Council might deem right. He trusted that the Waste Lands Committee would not interfere to prevent the Provincial Council deciding as to the terms on which the blocks should be set aside. He trusted that, if there did exist any difficulty in the matter, that the Bill would go to that extent and give the power, otherwise he did not see much use in the Act. Another point was, that he should like to see the blocks set aside, not by the Executive Council of the Superintendent, but by the Provincial Council. He was glad to see that the honorable member for Porirua had consented to that alteration in the Bill. He considered the Bill a most desirable one, and he hoped it would receive the sanction of the House.

Mr. WOOD pointed out that there appeared to be no provision in the Bill for re-entering upon the land, if wanted for purposes of settlement.

Mr. CRACROFT WILSON, C.B., said that as free selection existed in Wellington there would be no necessity for such a provision, unless there might be anything in the Bill to prevent it.

Mr. BRANDON said the honorable member for Coleridge was correct in stating that there was free selection in Wellington. He was perfectly willing to substitute the word “Provincial” for “Executive.” With regard to the difficulty respecting the word “terms,” raised by the honorable member for the Hutt (Mr. Ludlam), it had simply reference to the scheme itself, which was with the view of introducing labour and capital at the same time. He did not care if the Waste Lands Committee altered the letter, provided they did not interfere with the spirit, of the Bill. If they called

him before them he would be able to give evidence that, he was certain, would satisfy them. With regard to the remarks of the honorable member for Invercargill, the object of the clause was simply to renew or reissue the license hitherto granted, and that would not interfere with the settlement of parties upon the land, because the occupation would in every case be subject to the land regulations existing in the Province. It was perfectly open for any person to select forty acres on any land occupied under a pastoral license.

The Bill was read a second time, and referred to the Waste Lands Committee.

NELSON CROWN LANDS LEASING BILL.

The House went into Committee on this Bill.

Question put, "That the following words be added to clause 3, 'And in the case of those persons who have exchanged their licenses for leases under clause 21 of the Crown Lands (Nelson) Leasing Act, any moneys paid by them on account of the aforesaid fee shall be placed to their credit against future rent,' " upon which a division was called for, with the following result:—

Ayes	...	...	...	15
Noes	...	...	...	23
				—
Majority against	...	...	...	8
				—

AYES.

Mr. Collins,	Mr. Stafford,
Mr. Driver,	Mr. Studholme,
Mr. Edwards,	Mr. Webster,
Mr. Jollie,	Mr. J. C. Wilson, C.B.,
Mr. McGillivray,	Mr. W. Wood.
Mr. McLean,	<i>Tellers.</i>
Sir D. Monro,	Mr. Hall,
Mr. Peacock,	Mr. Ludlam.

NOES.

Mr. Armstrong,	Mr. McIndoe,
Mr. Barff,	Mr. Mervyn,
Mr. Birch,	Mr. O'Neill,
Mr. Bradshaw,	Mr. Russell,
Mr. Bunny,	Mr. Stevens,
Mr. Fox,	Mr. Swan,
Mr. Carrington,	Mr. Taylor,
Mr. H. S. Harrison,	Mr. Wells,
Mr. Kelly,	Mr. Williamson.
Mr. Kery,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Curtis,
Mr. Macandrew,	Mr. Parker.

The amendment was consequently negatived, and the clause was agreed to.

The Bill was reported to the House with amendments, which were agreed to, and the Bill read a third time, and passed.

OTAGO ROAD BOARDS ORDINANCE VALIDATION BILL.

This Bill was considered in Committee, reported without amendments, and, on the question that it be read a third time,

Mr. DRIVER said it was not his intention to offer any further opposition to the passing of the Bill, as the Committee of the whole House had thought fit to swallow the Bill with its 246 clauses without its being read. He wished to record his

protest against that proceeding, and to remark upon the circumstances under which the Bill was withdrawn in Committee. The mover of the Bill said he would withdraw it, and moved that the Speaker do leave the chair, and afterwards refused to divide when a division was called for. He (Mr. Driver) was in the building at the time, and, shortly after the honorable member had signified his intention to withdraw the Bill, he was informed that the Bill had passed, before a messenger had time to run to the outer room to bring some honorable members to the House. If any honorable member would move that the Bill be read that day six months he would vote with him.

Mr. MACANDREW wished the House to understand that, in abandoning the Bill, he did so under the impression that the schedule was to be gone into clause by clause, involving a month's discussion. When he found that the Committee was content to take a reasonable and rational view of the subject, and pass the schedule at once, of course it was not for him to offer any objection. He thought the Committee had done right, and he thought the House would do right in passing the third reading of the Bill. There was only one clause in the Bill which was not within the powers of the Provincial Council to legislate upon, and that clause had reference to the rating of the pastoral tenants of the Crown.

Mr. CRACROFT WILSON, C.B., did not think it reasonable or rational to read a Bill a third time which had never been read before. It seemed an inconsistency in terms. With regard to the haste in passing the Bill through Committee, all he could say was that he left his place to go to the furthest portion of the building. He could not have been absent five minutes, and on his return he was surprised to learn that the Bill had been through Committee. He did not believe that was either rational or reasonable, and, therefore, he would move that the Bill be read that day six months. He was perfectly aware it would be carried all the same, and it would do no harm to the honorable member for Clutha or his wishes, but he (Mr. Wilson) would have the satisfaction of recording his protest against a method of legislation which the honorable member had, in his place, censured as being carried on with indecent haste and in an indecent manner in Committee in this House.

Mr. HAUGHTON said it would be much more satisfactory if the honorable member would state his objections to the Bill, which he proposed to postpone indefinitely. He thought the honorable member had cast a slur upon the Assembly by stating that its proceedings were not rational. The honorable member had made out no case whatever against the Bill, and he hoped he would not be supported in the division.

Mr. HALL said it must strike every one in the House that the way in which the Bill had passed through Committee was extraordinary. It was most unusual that a Bill of 264 clauses should be passed through Committee in less time than it took an honorable member to go from the House to the refreshment room and

back again. He said, without fear of dispute, that if it were known that measures of so much importance were passed through the House in that manner, it would not increase the respect in which the legislation of the House was held by the country at large, nor improve the character of that legislation. He did not say that, in certain cases, where, for instance, it was sought to give a temporary validity to provincial laws, it might not be admissible to pass the schedule without reading every clause; but where they were placing an Act permanently upon the Statute Book, they ought to have given it more consideration than they had done. He ventured to say that there were not five members in the House who knew five clauses of the Bill, and yet it was a law which bound every man in the Province of Otago.

Mr. W. WOOD admitted that the proceedings in regard to the measure were rather expeditious, but he thought, instead of honorable members complaining, they should thank the honorable member in charge of the Bill for getting it through with such expedition. Whenever a question affecting Otago came before the House, some honorable members at once said, "Oh, there is going to be an Otago free fight," and rushed out of the House, and he thought that they should not complain as to the manner in which any legislation might be carried on during their absence in such cases. He would oppose the amendment.

Mr. FOX trusted that when honorable members talked to their constituencies about the indecent haste in which business was carried on in the House, that the remarks of the honorable member for Clutha would be borne in mind—that there was really only one clause in the Bill which could really be called part of the legislation of New Zealand, all the other clauses being such as might have been legally passed by the Provincial Council, as, in fact, they had been before. That was what the honorable member for Clutha said, and if he had been incorrect, the honorable member for Coleridge should point out in what respect.

Mr. CREIGHTON intended to support the third reading of the Bill, although he had been entirely ignorant of its passage through the Committee. He would not have risen but for the remarks of the honorable member for Heathcote. He trusted that the example which that honorable member had had that evening, of the mode of legislating for the Provinces, and the nature of such legislation, would induce him to take a colonial view of the question for the future, and that he would support any motion brought before the House with a view of making the land laws of the Colony uniform. He would support the Bill, because the effect of it would be to stimulate public opinion to discuss the question of the land laws. He was very glad the honorable member for Clutha had carried the Bill with such expedition, and that he justified his own words on a previous occasion—for which he was taken to task—that the Provincial Councils paid much more attention to the Bills before them than the House did,

Mr. CARLETON said, as regarded a point of order, the cramming of a Bill with 246 clauses and several schedules into one schedule, was the most astonishing proceeding that he had ever come across in the whole course of his parliamentary experience. He knew of but one instance which could come near it, which was when the late Bishop of New Zealand, in the session of 1856, appended a church constitution, by way of a schedule, to a small Bill for the variation of trusts; a caudal appendage which he (Mr. Carleton) had the honor of cutting off. With regard to the Bill which had just gone through, he could only say that he was beginning to cease feeling astonished at anything whatever. He was afraid that all their old rules and orders, and everything like self-restraint, was going to the wall. It was only to be hoped that, whoever might be in the new Parliament in the next session, the House would turn over a new leaf and begin with something like orderly proceeding.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	13

Majority for	...	...	...	...	18
AYES.					

Mr. Barff,	Mr. McGillivray,
Mr. Birch,	Mr. McIndoe,
Mr. Bradshaw,	Mr. McLean,
Mr. Brandon,	Mr. Mervyn,
Mr. Bunny,	Mr. Moorhouse,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. O'Rorke,
Mr. Creighton,	Mr. Parker,
Mr. Curtis,	Mr. Stafford,
Mr. Dignan,	Mr. Taylor,
Mr. Eyes,	Mr. Wells,
Mr. Fox,	Mr. Williamson,
Mr. Gillies,	Mr. W. Wood.
Mr. H. S. Harrison,	<i>Tellers.</i>
Mr. Kerr,	Mr. Haughton,
Mr. Kelly,	Mr. Macandrew.

NOES.

Mr. Armstrong,	Mr. Stevens,
Mr. Edwards,	Mr. Studholme,
Mr. Hall,	Mr. Swan,
Mr. Jollie,	Mr. Webster.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Ludlam,	Mr. Driver,
Mr. Richmond,	Mr. J. C. Wilson, C.B.

The amendment was therefore negatived, and the Bill read a third time, and passed.

CASE OF JAMES RUNCIMAN.

Mr. CREIGHTON moved the adoption of the resolution, agreed to in Committee of the whole, recommending that a sum of £300 be placed upon the estimates as compensation to Mr. James Runciman.

Motion agreed to.

GREEN AND SPENCER LAND CLAIMS BILL.

Mr. FOX said that this was not a Govern-

ment Bill, but had been promoted by a private member in the other House. The only object of the Bill was to give an extension of time within which the award of the Supreme Court might be given in respect to certain compensation. He suggested that the Bill should be committed on Friday, and, in the meantime, he would communicate with the Secretary for Crown Lands. He had had a conversation with that gentleman a few days previously but he had not heard anything from him that could affect the case.

The Bill was read a second time, and ordered to be committed on Friday.

REPRESENTATION BILL.

Mr. FOX said he wished to state, in moving that the House go into Committee upon this Bill, that it was a transcript of the Act of 1860. The reason why the Bill, on its second reading, had been submitted in skeleton, was owing to the adjustment of the boundaries of electoral districts having been referred to a large Select Committee, whose report had not then been brought up. Since then the report had been submitted. Instead of taking the discussion upon the report of the Committee, it would be taken upon the schedule to the Bill, which had been laid upon the table of the House. The principle upon which the Government would act was to accept the recommendations of the Committee. The Committee had arranged matters in a careful manner, and one which he thought was calculated to give satisfaction. That was by appointing Sub-Committees, representing each Province. The subject was discussed out of doors, and the report of the several Sub-Committees having been brought up, the whole subject was discussed by the Select Committee, and a decision come to, and he believed no better conclusion could be arrived at. The rolls of the altered districts would be those used at the ensuing election. He therefore moved that the House go into Committee upon the Bill.

Mr. STAFFORD wished to express his extreme dissatisfaction at the way in which the Bill had been introduced, and with the form which it had assumed. The Government had entirely given up their duty as a Government in determining the distribution of the governing power of the Colony, and the result was, to his mind, a proof of the evil arising from a Government delegating that duty which properly devolved upon themselves. The Government had delegated its powers to a Committee, an unusually large one, consisting of twenty members, about one-fourth of the whole House. The Bill might just as well have been referred to a Committee of the whole House. What did that Committee do? At its first meeting, and in the absence of a considerable number of its members, it determined to remit the functions of distributing the governing power to Sub-Committees, Sub-Committees which, in some instances, consisted of but one man. He wished that fact to go forth to the country. That was the way in which the representation of the Colony was decided. To one man was given the function of deciding upon the distribution of the govern-

ing power in large portions of New Zealand for the next five years. And then, with regard to those Sub-Committees which happened to be composed of more than one man, it was notorious that, except in one instance, they never agreed. Even the Sub-Committee for Wellington disagreed, and the member for the City of Wellington (Mr. Taylor) entered a formal protest against the decision arrived at. The Sub-Committee for Canterbury, of which he was one, did not agree; it was two on one side, and one on the other. The Sub-Committees for Canterbury and Auckland differed so much that two days were occupied in passing resolutions and rescinding them. The business had turned out exactly as he had expected. It had been done as badly as possible, and the Bill would result in anything but satisfaction or credit to the Colony. Having refused to give his assent to the Bill in the form in which it had been presented, he wished now to ask the Government if they intended that the entire schedule should be read as one clause.

Mr. FOX said that they were prepared to take each item of the schedule separately. There might be some slight errors in it, but, subject to such defects, the Government would stand by the schedule.

Mr. STAFFORD considered it was satisfactory to know that they were not to swallow all the pills at once. As to the drafting of the Bill, he thought it was the most discreditable model of construction that could be placed upon the Statute Book. He believed the registration officer and revising officers would be puzzled to comprehend the boundaries of the respective districts. It was difficult to know to what reference was made in some cases in the schedule. He would, in Committee, not only move the motion of which he had already given notice, but he would support any other honorable gentleman in regard to his particular district. He would support the first on the list, namely, the amendment in reference to Mongonui and the Bay of Islands. He was also quite prepared to support the amendment relative to the Thames district. He thought the arrangement with regard to Auckland was most unfair and most illiberal. Instead of taking advantage of the changes which had occurred in the last ten years, since the distribution of representation in 1860, during which there was an enormous spread of population into the country districts, the only effect had been to destroy one country district which had previously existed and unite it with another. Of all the distributions to be complained of, that in connection with Auckland was the most unsatisfactory.

Mr. CARLETON had before intimated his intention of opposing the Bill, unless an equal number of representatives were given to the North and Middle Islands. The schedule brought down by the Select Committee appointed to take the matter into consideration was most imperfect. He regretted that the Government should have thought fit to delegate their powers to a Select Committee, and relieve themselves of all responsibility, while the Select Committee proceeded

to relieve itself of responsibility by appointing Sub-Committees. There was nothing but the abnegation of responsibility all round. Their object should be to couple responsibility with power, and never to allow them to become disunited. He never grudged power. He was desirous of seeing a strong Government, but he would never lend himself to any abnegation of responsibility,—the only safeguard to the exercise of power. The result of the labours of the Committee had been an overthrow by the majority of the fair claims of the minority. Instead of dealing justly with the minority, their object was, as is customary with majorities, to crush the minority still more. The out-districts had been sacrificed, especially in the Province of Auckland. The towns had already enormous advantages. Men living in towns had facilities for forming combinations, and of acquiring knowledge. The polling booths were close to them, and whether the weather was wet or dry, it made no difference to them; while in the out-districts a wet or dry day might make the whole difference in the return of the candidate. The towns had advantages enough already. He might observe that the framers of the Constitution Act had some kind of feeling of the advantages of the towns over the country districts, and they sought to make up for the difference in the qualification. They made the household qualification in the country £5, and the qualification in the town £10; but the idea was certainly not brilliant. He was quite unable to see how an increase in the number of electors could assist the country districts, when they did not increase the number of members. What matter was it to any out-district whether its member was returned by one hundred voters or by five hundred. The power and the influence of that member was exactly the same in the House, but to have two members instead of one would make a great difference. In regard to the Province of Auckland, the result of the labours of the Committee was a most unfair apportionment. That Province fell naturally into two clearly marked divisions, separated by the Waitemata river. The Committee had assigned four members out of sixteen to the northern portion; while to the other portions were assigned twelve members. Under the old system, they had to the north of Auckland the one-third of the whole number of members, whereas under the new scheme they would only have one-fourth. That had been done by combining the district of Mongonui with the Bay of Islands district, districts which were once united when there was a much smaller number of members in the House than at present, but which were separated in 1860. Their interests were entirely distinct; they had no interest in common; they might be said, in a certain sense of the word, to be rivals. He was told that the object of the change was to give an additional member to the Thames gold field. It was perfectly right that the Thames gold field should be more fully represented than at present. It was in the first instance agreed by the Committee to give the additional member conceded to the Auckland Province to the Thames gold field.

But the Thames wanted two members. The electoral division of Auckland City West had two members, and the question was whether they should take away one of those members and thus give two to the Thames, or whether they should take a member from an out-district. As usual, the weakest went to the wall, and the out-districts were sacrificed—the town was triumphant. The towns would use their power more and more to make their interests predominate over those of the out-districts. He was quite certain that if the Government had taken this matter into their own hands they would have made a far better arrangement, and although they might not have made an arrangement entirely satisfactory to all members of the House, they would have received a general support from the House. His rule was invariably to support the Government whenever he could, no matter what that Government might be, until he was prepared to change that Government for another. He always supported the Government for the time being so far as his principles would allow him. The House should never offer any factious hindrance to the Government; they should not be obstructive, but prepared to support it as far as they possibly could until they were prepared to change it for another Government. Upon that principle alone he should have been prepared to sacrifice his own opinions, to a certain extent, in this matter. He was not equally prepared to sacrifice his opinion to any Select Committee. He must confess he had very little faith in Select Committees, almost none at all, excepting in regard to their own peculiar function, that of acquiring information for the House. He would like to know what information the Committee had to come to a conclusion upon. His belief was that the report of the Committee was nothing more than a pleasant family arrangement, utterly devoid of consideration for the Colony at large. The honorable member for New Plymouth Town, Mr. Kelly, had moved:—

“That a return be laid on the table of this House, showing for the several electoral districts returning members for the House of Representatives, the following information:—(1.) The area in acres. (2.) The number of the population. (3.) The number of persons entitled to vote for the return of such members. (4.) The number of persons who are entitled to vote under miners' rights or other special qualification. (5.) The number of members.”

Of what value to the Committee was the population return of 1867, in a country that changes by the hour, and where one year does the work of ten years in the old country: and of what value was the return of last year's electoral roll? The number of persons entitled to vote and who would be on the electoral roll for the next election was already known. The number was largely increased, in his own district and that of Mongonui, over that of last year. He thought the Committee had not the information upon which to base a useful report, and he believed the matter had been settled by consulting the fancies and convenience of individuals. He considered the schedule most unsatisfactory; he should take

every opportunity he had of voting against the Bill, and would be prepared to divide the House on the third reading.

Mr. RICHMOND wished to add a few words in corroboration of what had been said by the honorable member for Timaru and the honorable member for the Bay of Islands as to the unsatisfactory form in which the schedule had emerged from the Select Committee. It showed, on the face of it, the necessity for some responsible person taking it in hand, and making it more in harmony—not harmony in form, which was a trifling matter, but in substance, which was more important. So far as it was possible to understand the schedule, the two altered districts of Taranaki overlapped each other. On looking at the Wanganui district he found that it included the whole of one of the Taranaki districts; thus a portion of one district would be represented in three separate districts. The Wanganui district was described as bounded on the north and north-west by the Grey and Bell district; that district used to reach down to the southern extremity of the Province, but it was now to be cut off from the southern extremity by the Egmont district, which would intervene between the two. There were three fatal errors in those three districts. According to the schedule, the inhabitants of the Omata district could vote in Grey and Bell, Omata, and Wanganui districts. That example alone, and there might be many others, showed the great danger they ran in submitting to a Select Committee Bills of that kind, which required minute official care and attention throughout of one mind. If that course had been adopted the schedule would not contain so many blunders. He should be prepared to move an amendment, in order to bring the Taranaki districts into harmony with the intention of the Committee, as shown in the minutes of proceedings, and also an amendment to correct the error made in respect of the Wanganui district.

Mr. BUNNY said the Government had been very much blamed for the way in which they had brought in this Representation Bill. He did not know any task more difficult for any Government to undertake than to bring down a scheme for readjusting the representation of the Colony. The Government had carried out the resolution of the House, which was to the effect that the boundaries of the electoral districts should be readjusted, and fresh provision made for the representation thereof. The House had decided that there should be no alteration as regarded the number of members in each Province. With regard to the remarks of the honorable member for Timaru, that the Committee had delegated its powers to Sub-Committees, he (Mr. Bunny) thought it had taken the proper course in asking the representatives of the several Provinces to consider the readjustment of the representation in their respective Provinces. The honorable member said that even in the Province of Wellington the Sub-Committee did not agree. It was not likely that the honorable member for Wellington City (Mr. Taylor) and himself would agree, as one member was to be taken from Wellington City and one member given to Wairarapa. He (Mr.

Bunny) had brought down resolutions which had been agreed to by the members of Wellington Province, with the exception of the honorable members for Wellington City, Mr. Borlase and Mr. Taylor. The question was discussed before the Select Committee, and a division taken, when eighteen members were in favour of the resolution, and only Mr. Taylor against it. He trusted the Government would adhere to the decision of the Committee. Of course, if there was any difference as regarded the boundaries, they would have to be rectified. He was sorry the honorable member for Grey and Bell had not mentioned to the Committee that there was some slight error in the boundaries of electoral districts of Taranaki Province. In order that the boundaries of Wellington Province should be as correct as possible, he had obtained the services of the chief surveyor of the Province, and upon the report given by him the boundaries were described. Although the decision of the Committee, in some instances, might not give satisfaction to all honorable members, yet he believed they had come to a satisfactory result, and he believed a large majority of the House were satisfied with the labours of the Committee.

Mr. BORLASE would move, as an amendment, that the Bill be committed that day six months. The House had not sufficient information to enable them satisfactorily to readjust the representation this session. They had not sufficient information as to the population of each of the respective districts. They could not tell where the great bulk of the population was by taking the returns of 1867. There was certainly a majority of the Wellington members in favour of the scheme. If all the members had been present, there would have been four opposed to the scheme and five in favour of it. There was no reason given why Wairarapa should have two members, the same as Wellington City. In that district there was a voting population of 400, while in Wellington City there was a voting population of 1,200. He was certain the House would agree with him that Wairarapa was not entitled to have two members if Wellington City was to have only two. The schedule was not approved of by many honorable members, and it was better that they should wait until after the present session before taking any step in readjusting the representation, when they would have something real on which to found an opinion. He would move that the Bill be committed that day six months.

Mr. ARMSTRONG seconded the amendment. That the Committee had bestowed a large amount of labour on the report was very apparent. He would ask honorable members to look at the description given of the boundaries of the Akaroa district, which he represented. If he was correct in his geography, what was called the northern boundary was in the south, and what was described in the south was in the north. He thought that was a very clear proof that they had directed a great deal of attention to the report, and that they had brought it up very correctly.

Question put, That the words proposed to be left out stand part of the question.

Mr. H. S. HARRISON did not know why the town of Wanganui should be deprived of one of its members. It had been praised for the sagacity it had shown in the selection of its representatives, but he supposed it was done on the principle of reciprocity.

Mr. CREIGHTON was prepared to support the Bill as it stood, with some trivial alterations in the schedule. He believed the objection taken by the honorable member for Akaroa was hardly one worthy of him; it was merely a clerical error which might be rectified in Committee.

Mr. ARMSTRONG.—It was not a clerical error, but an error of judgment; they did not know the north from the south.

Mr. CREIGHTON would suppose that it was a clerical error; and even if it were not, it was one that could be easily rectified in Committee. He regretted that the honorable member for Wellington City did not take his objection to the Bill on the second reading. It was hardly fair to raise the objection at that stage, merely because the Committee proposed a re-distribution of the seats, which might have the effect of leaving one of the members of Wellington out in the cold at the next election. Speaking of the Province of Auckland, he could say that the Subcommittee, so far from delegating their powers, had invited all the members for Auckland to meet them, and to consult together with regard to the distribution of the seats. It was true that, on the first day, there was some difference of opinion with regard to the new seat which it was proposed to give to the Province, and how the seats were to be apportioned; but on the second day, although all the members from the Province did not cordially assent to the distribution proposed, yet each of them waived his own individual opinion in favour of that of the majority. And, taking all the circumstances of the Province into account—he was now speaking of the boundaries—he said that the alteration of the boundaries was the best that could be made under the circumstances. The honorable member for Timaru must have spoken without a full knowledge of the circumstances of the Province, or he would not have made so sweeping an assertion against the Committee. He knew something of the Province of Auckland, though, perhaps, not so much as the honorable member for Timaru; but, so far as the alteration of the boundaries went, it gave a preponderance of votes to the agricultural classes. The honorable member to-night had come out with some manifestly new-fangled love for the Thames gold field. He asked the honorable member for Timaru where was his zeal for the representation of that district when he had the supreme control in the House;—when he was at the head of a Government, the strongest, perhaps, ever known in the country, and with a party at his back who were not disposed to be very tolerant to political opponents? How, he asked, did it happen that the honorable member allowed the Thames district to remain for two years without a representative? At that time, the proposal to give a member to the Thames was almost laughed out of the House. The Go-

vernment, of which the honorable member was the head, at that time looked upon the Thames population as a migratory population, and objected to grant them a representative, on the plea that they were not strangers, but were settlers who came from other parts of the Province of Auckland, and were residing temporarily at the Thames. But now that honorable member stood up in this House for two representatives for the Thames, notwithstanding that when it was in his own power to have given them a special representative he would not do so, and that he did not do his duty towards that portion of his Franklin admirers who were located at the Thames. The honorable member had told the House that this distribution, instead of recognizing the enormous spread of the rural population in Auckland, giving it an impetus by increasing its political power, had done the opposite, by the concentration of political power in the neighbourhood of cities and towns; and that the object of the Auckland members was to limit the power of returning the sixteen members for the Province to the residents in and around the city of Auckland; and that all they had done was to abolish the Mongonui district, and to give the additional member to the Thames gold field. What were the facts of the case? Franklin and Raglan at present return three members—two for Franklin, and one for Raglan. The proposal was to constitute the Thames gold field a separate district; a new district was to be created on the East Coast, to which it was proposed to give one member. The Auckland Committee found a member for that district by abolishing the seat for the Pensioners Settlements. The Thames being separated from Franklin, left that district with two members. Part of Raglan, which had been made a separate district, under the name of the Waikato, got one member; so that the country districts south of Auckland would have five members instead of three, without considering the suburban district of Eden. The proposal to merge the Mongonui district into the Bay of Islands district was opposed by the honorable member for the Bay of Islands—he (Mr. Creighton) did not know on what principle. The Mongonui district had only 150 registered electors, and, considering the large population of other parts of the Province, it was only fair to merge the Mongonui and Bay of Islands districts into one constituency. He was told that the Thames gold field was entitled to two members. He did not dispute that; but the House refused to acknowledge the principle that representation should be based on population, and resolved that the agriculturists in the rural districts should have a preponderance in the representation, and when that honorable member voted against the resolution of his honorable friend the member for Mongonui—that population should be the basis of representation—he was clearly inconsistent now in urging the same principle in condemnation of the decision come to by the Auckland members. The honorable member for Timaru had voted against the representation of population: he cannot now fall back upon it. He (Mr. Creighton) thought the honorable

member for the Bay of Islands, like the honorable member for Timaru, had been blowing hot and cold. The honorable member for the Bay of Islands had based his argument against merging the two constituencies, on the plea that the polling day might be a wet day, that electors coming from a distance might not be able to vote, and that, therefore, some candidate might find himself outside the walls of this House after the next election. There was another argument of the honorable member for the Bay of Islands which was inconsistent. He referred to the attempt made by him to decry the representation of towns. His argument was that the representatives of town populations did not take so broad a view of politics as country representatives. The honorable member had always stated that he sat in that House not as a member representing the Bay of Islands, but as a member representing New Zealand; and he would remind that honorable gentleman that members elected to represent Auckland and other large towns were as much members for New Zealand as any honorable gentleman who might be elected for the Bay of Islands, or for any other country district—so that the argument founded upon a rainy day, and the other argument, that the large centres of population were monopolizing political power, would not hold water. He trusted the House would go into Committee on this Bill. He was aware that, in several of the districts specified in the schedule, it might be necessary to make some amendments in respect to the boundaries, but that would involve no principle.

Mr. SWAN thought it necessary to make some explanation in respect to the special representation for the Thames gold field referred to by the honorable member. When he (Mr. Swan) came down to take his seat in 1868, he suggested to the then Premier, in the first interview he had with that gentleman, the propriety of giving representation to the Thames gold fields. The honorable gentleman, the member for Timaru, told him that he had prepared the draft of a Bill for amending the whole representation of the Colony, and suggested that the question had better stand over until that Bill could be considered by the House. Another honorable member from the Province of Auckland moved for leave to bring in a Bill to give special representation to the Thames. He (Mr. Swan) believed at the time that that was intended to destroy the influence of his vote, because the question was waived at the commencement of the session. It would be recollected that Mr. Stafford, the honorable member for Timaru, introduced a Bill for the amendment of the representation last session, in which, he believed, the Thames gold field was given the representation that was required at the time, and for which he should now ask. He thought it was rather too barefaced for the honorable member for Newton to endeavour to create what he might call an irritating sore, out of a question of that kind which was perfectly well understood at the time; but he believed, when the honorable member made the statement which he had done that evening,

he did so more out of chaff, because he (Mr. Swan) thought that the honorable member knew the real state of the case at the time, and therefore should not have made the statement. He considered that the Government ought to have taken on themselves the whole of the responsibility in the preparation of this Bill. He had never read or heard of an instance in the House of Commons in which the Government of the day had relegated to a Select Committee the preparation of the schedule of their own Representation Bill. They always brought the Bill down, and were prepared to stand by it, accepting compromises, and passing it in the best way they possibly could. He considered that that would have been the proper course for the Government to have taken in the present instance. He considered it a perfectly just arrangement that the district of Mongonui should be thrown into the district of the Bay of Islands. He was of opinion that representation ought to go by population. He did not see the use of the discussions they had had that session upon manhood suffrage and other cognate subjects, in which honorable members had aired their opinions in favour of the principle of representation by population, but were not prepared to apply it to the redistribution of seats. He considered that the real question in a Representation Bill was, not the qualification of the voter, but the power which was given to each individual member of the House as to the number of voters he represented. For instance, if they gave manhood suffrage to the people of New Zealand, and if they gave a hundred people who were voters by virtue of manhood suffrage the same influence in the House that they would give to another constituency containing voters to the number of a thousand, he did not see the use of any discussion respecting the qualification of voters. He had long been of opinion that the enormous over-representation of the cities was antagonistic to the real interests of New Zealand. Take the city of Auckland, for instance. Auckland had three members given to it, and a number of the electors of City West voted for City East, and numbers voted across the street again in City West. The same thing happened in Parnell and Newton. The inhabitants of Parnell were really getting their living out of the city of Auckland, and so were the inhabitants of Newton. The same men voted in City East and City West, and so with regard to Parnell and Newton.

An Hon. MEMBER.—No.

Mr. SWAN.—Honorable members might say what they liked, but his opinion was that the influence of the city was exerted over the Northern Division, over Onehunga, and over the districts of Franklin and Raglan, besides the Pensioner Settlements. Therefore, he would vote for the reduction of the city members, mainly in consequence of the influence which they exercised, not only over the city itself, but over the constituencies surrounding the city. He was so impressed with the necessity for readjustment that he would not follow the honorable member for Wellington City into the lobby. He would

move as an amendment upon the schedule as regarded the city of Auckland East and the city of Auckland West, that these two electoral districts be formed into one, and return one member, with a view to giving an additional representative to the Thames.

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	37
Noes	...	...	...	...	21
					—
Majority for	...	...	...	...	16
					—

AYES.

Mr. Birch,	Mr. McGillivray,
Mr. Brandon,	Mr. McIndoe,
Mr. Bunny,	Mr. McLean,
Mr. Carrington,	Mr. Moorhouse,
Mr. Clark,	Mr. Ormond,
Mr. Collins,	Mr. O'Rorke,
Mr. Creighton,	Mr. Patterson,
Mr. Driver,	Mr. Peacock,
Mr. Eyes,	Mr. Rolleston,
Mr. Fox,	Mr. Stevens,
Mr. Gillies,	Mr. Studholme,
Mr. Hall,	Mr. Tancred,
Mr. H. S. Harrison,	Mr. Vogel,
Colonel Haultain,	Mr. Webster,
Mr. Kelly,	Mr. J. C. Wilson, C.B.,
Mr. Kerr,	Mr. W. Wood.
Mr. Ludlam,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Dignan,
Mr. Macfarlane,	Mr. Williamson.

NOES.

Mr. Armstrong,	Sir D. Monro,
Mr. Barff,	Mr. Munro,
Mr. Borlase,	Mr. O'Neill,
Mr. Brown,	Mr. Richmond,
Mr. Curtis,	Mr. Russell,
Mr. W. H. Harrison,	Mr. Stafford,
Mr. Haughton,	Mr. Taylor,
Mr. Jollie,	Mr. Wells.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Main,	Mr. Bradshaw,
Mr. Mervyn,	Mr. Swan.

The amendment was consequently negatived.

Mr. BORLASE moved an amendment upon the proposal in the schedule to give the city of Wellington two members, that the word "two" be omitted, with a view to inserting the word "three."

Question put, "That the word 'two' stand part of the schedule," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	44
Noes	...	...	...	...	13
					—
Majority for	...	...	...	...	31
					—

AYES.

Mr. Armstrong,	Mr. McLean,
Mr. Brandon,	Mr. Moorhouse,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. Ormond,

Mr. Collins,
Mr. Creighton,
Mr. Curtis,
Mr. Dignan,
Mr. Driver,
Mr. Eyes,
Mr. Fox,
Mr. Gillies,
Mr. Hall,
Colonel Haultain,
Mr. Jollie,
Mr. Kelly,
Captain Kenny,
Mr. Kerr,
Mr. Kynnersley,
Mr. Ludlam,
Mr. Macandrew,
Mr. McGillivray,
Mr. McIndoe,

Mr. Barff,
Mr. Birch,
Mr. Bradshaw,
Mr. Brown,
Mr. W. H. Harrison,
Mr. Haughton,
Mr. Main,

Mr. O'Rorke,
Mr. Patterson,
Mr. Peacock,
Mr. Richmond,
Mr. Rolleston,
Mr. Russell,
Mr. Stevens,
Mr. Studholme,
Mr. Tancred,
Mr. Vogel,
Mr. Webster,
Mr. Wells,
Mr. Williamson,
Mr. J. C. Wilson, C.B.,
Mr. W. Wood.

Tellers.

Mr. Bunny,
Mr. Macfarlane.

NOES.

Mr. Mervyn,
Sir D. Monro,
Mr. Stafford,
Mr. Swan.

Tellers.

Mr. Borlase,
Mr. Taylor.

The motion was consequently negatived.

Mr. ARMSTRONG moved, "That Mount Herbert, in the Province of Canterbury, be represented by one member," and a division having been called for, the result was as follows:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	38
					—

Majority against 22

AYES.

Mr. Barff,
Mr. Borlase,
Mr. Bradshaw,
Mr. Brown,
Mr. Creighton,
Mr. Driver,
Mr. Haughton,
Captain Kenny,
Mr. Main,

Mr. Mervyn,
Mr. Munro,
Mr. Stafford,
Mr. Swan,
Mr. Taylor.

Tellers.

Mr. Armstrong,
Mr. Peacock.

NOES.

Mr. Birch,
Mr. Brandon,
Mr. Bunny,
Mr. Carrington,
Mr. Clark,
Mr. Collins,
Mr. Curtis,
Mr. Dignan,
Mr. Eyes,
Mr. Fox,
Mr. Gillies,
Mr. Hall,
Mr. H. S. Harrison,
Mr. W. H. Harrison,
Colonel Haultain,
Mr. Jollie,
Mr. Kelly,
Mr. Kynnersley,
Mr. Ludlam,
Mr. Macandrew,

Mr. Macfarlane,
Mr. McIndoe,
Mr. McLean,
Mr. O'Neill,
Mr. Ormond,
Mr. O'Rorke,
Mr. Patterson,
Mr. Rolleston,
Mr. Russell,
Mr. Stevens,
Mr. Studholme,
Mr. Tancred,
Mr. Vogel,
Mr. Webster,
Mr. Williamson,
Mr. J. C. Wilson, C.B.

Tellers.

Mr. Moorhouse,
Mr. Richmond,

The amendment was consequently negatived.

Mr. STAFFORD moved that the Timaru electoral district be bounded as follows:—On the north by the south bank of the Opihi from the sea to its confluence with the Tengawai, thence by the Tengawai to a point opposite the eastern boundary of rural section No. 5,209; on the west by the eastern boundary of the said section to the Saddle, thence by a small stream to the Pareora; and on the south by the south bank of the Pareora to the sea; and on the east by the sea.

Question put, "That the words proposed to be omitted stand part of the schedule," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	15
Majority for	...	...	...	...	16

AYES.

Mr. Birch,	Mr. McIndoe,
Mr. Brandon,	Mr. McLean,
Mr. Bunny,	Mr. Moorhouse,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. O'Rorke,
Mr. Creighton,	Mr. Patterson,
Mr. Dignan,	Mr. Peacock,
Mr. Driver,	Mr. Russell,
Mr. Fox,	Mr. Studholme,
Mr. Gillies,	Mr. Tancred,
Mr. Hall,	Mr. Vogel,
Mr. H. S. Harrison,	Mr. Williamson,
Mr. Ludlam,	Mr. J. C. Wilson, C.B.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Rolleston,
Mr. Main,	Mr. Webster.

NOES.

Mr. Armstrong,	Mr. Kelly,
Mr. Barff,	Captain Kenny,
Mr. Bradshaw,	Mr. Mervyn,
Mr. Brown,	Mr. Munro,
Mr. Collins,	Mr. Swan,
Mr. Haughton,	<i>Tellers.</i>
Colonel Haultain,	Mr. Stafford,
Mr. Jollie,	Mr. Stevens.

The motion was consequently negatived.

Mr. BRADSHAW moved, as an amendment, that between Dunedin and Invercargill the words "gold fields one member" be inserted.

Question put, "That the words proposed to be inserted be so inserted," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	29
Majority against	...	...	...	...	17

AYES.

Mr. Armstrong,	Mr. O'Neill,
Mr. Brown,	Mr. Stafford,
Mr. Haughton,	Mr. Swan,
Captain Kenny,	<i>Tellers.</i>
Mr. Main,	Mr. Barff,
Mr. Mervyn,	Mr. Bradshaw.
Sir D. Munro,	

NOES.

Mr. Brandon,	Mr. Macfarlane,
Mr. Carrington,	Mr. McIndoe,
Mr. Clark,	Mr. McLean,
Mr. Collins,	Mr. O'Rorke,
Mr. Creighton,	Mr. Rolleston,
Mr. Dignan,	Mr. Russell,
Mr. Driver,	Mr. Studholme,
Mr. Fox,	Mr. Tancred,
Mr. Gillies,	Mr. Vogel,
Mr. Hall,	Mr. Webster,
Mr. W. H. Harrison,	Mr. Williamson,
Mr. Kelly,	Mr. J. C. Wilson, C.B.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Ludlam,	Mr. Bunny,
Mr. Macandrew,	Mr. W. Wood.

The amendment was consequently negatived.

Mr. RICHMOND moved, in that part of the schedule referring to the Grey and Bell district, to leave out the words between "to the point," in the 5th line, and "the mouth of the Mokau river," in the last line, in order to insert "due eastward of the summit of Mount Egmont; on the south by a straight line from the last-named point to the said summit; on the west by a straight line to the southern angle of the Grey block, thence by the western boundary of the said block to the sea, thence on the north-west by the sea to the commencing point of the northern boundary at."

Question put, "That the words proposed to be omitted stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	29
Majority against	...	...	...	...	20

AYES.

Mr. Brown,	Mr. Mervyn,
Mr. Creighton,	Mr. O'Neill,
Mr. Gillies,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Kelly,
Mr. Main,	Mr. Stafford.

NOES.

Mr. Armstrong,	Mr. Munro,
Mr. Barff,	Mr. Rolleston,
Mr. Bradshaw,	Mr. Russell,
Mr. Clark,	Mr. Stevens,
Mr. Collins,	Mr. Studholme,
Mr. Driver,	Mr. Swan,
Mr. Fox,	Mr. Tancred,
Mr. Hall,	Mr. Vogel,
Mr. H. S. Harrison,	Mr. Webster,
Mr. W. H. Harrison,	Mr. Williamson,
Captain Kenny,	Mr. J. C. Wilson, C.B.,
Mr. Kynnersley,	Mr. W. Wood.
Mr. Macandrew,	<i>Tellers.</i>
Mr. McIndoe,	Mr. Carrington,
Mr. McLean,	Mr. Richmond.

The amendment was consequently agreed to.

Mr. RICHMOND moved an amendment in the Egmont district, to bring it into harmony with the last district as amended, which was agreed to.

Mr. MACANDREW moved an amendment that the words "and Clutha" be omitted.

Question put, "That the words proposed to be omitted stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	27

Majority against ...	...	...	...	18
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AYES.

Mr. Armstrong,	Mr. Main,
Mr. Barff,	Sir D. Monro,
Mr. Bradshaw,	<i>Tellers.</i>
Captain Kenny,	Mr. Brown,
Mr. Macfarlane,	Mr. Swan.

NOES.

Mr. Birch,	Mr. McIndoe,
Mr. Bunny,	Mr. McLean,
Mr. Carrington,	Mr. Mervyn,
Mr. Collins,	Mr. Moorhouse,
Mr. Creighton,	Mr. O'Neill,
Mr. Dignan,	Mr. Tancred,
Mr. Driver,	Mr. Vogel,
Mr. Fox,	Mr. Webster,
Mr. Gillies,	Mr. Williamson,
Mr. Hall,	Mr. J. C. Wilson, C.B.,
Mr. H. S. Harrison,	Mr. W. Wood,
Mr. W. H. Harrison,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Macandrew,
Mr. Ludlam,	Mr. O'Rorke.

The amendment was consequently agreed to.

The Bill was reported to the House with amendments, which were ordered to be considered next sitting day.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

The Council still insists upon the amendments made in the Curators of Intestate Estates Bill and the Payment of Common Jurors Bill. The message was ordered to be considered next sitting day.

The Council does not insist upon its amendments made in the Mining Companies Limited Liability Bill.

The Married Women's Property Protection Bill, which was read a first time, and the second reading fixed for next sitting day.

The Marlborough Sale of Reserves Bill, and the Hawke's Bay and Marlborough Rivers Bill, with amendments, which were ordered to be considered next sitting day.

The House adjourned at forty-five minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 25th August, 1870.

Tory Channel Lighthouse—Gold Fields Bill—Immigration and Public Works Bill—Messages from the House of Representatives—Sale of Spirits in Native Districts Bill—Census Bill—Resident Magistrates Evidence Bill—Otago Hundreds Bill—Third Readings.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

TORY CHANNEL LIGHTHOUSE.

The Hon. Mr. SEYMOUR, in asking the honorable the Colonial Secretary, Whether it is the intention of the Government to erect a lighthouse at the entrance of Tory Channel, said he thought it would be admitted by all persons who travelled by steamers, as stated by all captains of vessels, that it was very desirable that a lighthouse should be erected at the place mentioned. The passage through the Sound by way of Tory Channel to Queen Charlotte's Sound was often preferred by captains of steamers, especially in bad weather, as the roughest part of Cook Strait was avoided; but, in the direct line of route from Wellington to Nelson, there was a very dangerous rock, called Cook Rock, upon which, not a very long time ago, a steamer called the "Queen" struck, and went down. That rock lay in a direct line between Nelson and Wellington, and, in heavy weather and dark nights, the danger, of course, became greater. He understood, from communications which he had had with captains of steamers, that if a lighthouse were erected they would take advantage of the Sound, and thereby avoid the dangers caused by rough weather which they might experience outside. Commanders of vessels which arrived at New Zealand from foreign countries would also derive a great advantage from the erection of a lighthouse upon this rock.

The Hon. Mr. GISBORNE stated that the Government recognized the necessity of a lighthouse being erected at the entrance of Tory Channel, and a sum of money would be placed on the additional estimates for this year for its construction.

GOLD FIELDS BILL.

On the motion of the Hon. Mr. SEWELL, it was ordered, That the Gold Fields Amendment Bill be committed on next sitting day.

IMMIGRATION AND PUBLIC WORKS BILL.

ADJOURNED DEBATE.

The Hon. Mr. WATERHOUSE.—Sir, in rising to speak to the motion now under consideration, I cannot help expressing my great satisfaction at the tone in which the remarks made by all previous speakers on the subject have been expressed. It must have been evident to every honorable member that preceding speakers have approached the subject in no captious or party spirit, but with a desire to assist in perfecting those details of the measure which they consider stand in

need of improvement. I must say that I was somewhat astonished to see the measure so warmly received where I expected it would have met with another response, and I was glad to hear the remarks made by the honorable and gallant member, Colonel Whitmore. There was, however, one exception to the general tone of the remarks made, and that exception was in the case of the honorable gentleman, Mr. Mantell. That honorable gentleman told us that if we passed this Bill we should be guilty of an act of legislative madness. When the honorable gentleman made those remarks, I presume he meant to say that those gentlemen who assisted to pass the Bill would deserve the title of legislative madmen. Sir, the honorable gentleman reminds me of a story I once heard of an explanation given by a madman as to the difference between himself and others. It was this: that while he thought all other men madmen, all other men thought him mad. Now, if the honorable gentleman regards other honorable members in this light, it would probably be advisable for him to examine his own mind to see whether madness, if existing at all, does not rest in quarters where he least suspects it. With respect to the Bill itself, I may say that the impressions which I now entertain respecting it are the same which I entertained of it on the evening when I heard it enunciated. I then felt that it was a scheme of the utmost importance, fraught with weal or with woe to the Colony, according to the manner in which it might be administered; that, judiciously administered, it might be instrumental in giving the Colony a fresh start on the road to progress, but that if it should be administered injudiciously, it might retard our prosperity and launch us on a career of adversity. I noticed that the scheme sought to grapple with the two great wants of the Colony—population and public works—but that, at the same time, it sought to grapple with them by initiating a financial scheme of the utmost magnitude, and which, if it broke down, might involve us in untold misery. That view, Sir, I still entertain. I feel that we cannot do too much to introduce population, and I think that if we can construct railways for the sum anticipated we shall be justified in doing so, even up to the amount anticipated, but, at the same time, I feel that unless we apply ourselves to the perfecting of this measure, and endeavour to introduce more constitutional safeguards than are contained in it, we may be instrumental in thwarting the very object we have in view. I think a special duty devolves upon this Council, more especially when we consider the circumstances under which this Bill has been brought before us. We cannot, and, indeed we ought not, hide from ourselves the fact that this measure has not received that degree of impartial consideration which, under ordinary circumstances, we might expect it to receive before it reached this branch of the Legislature. Unfortunately, or fortunately, as some gentlemen may choose to regard it, the measure has been considered under other influences than those which generally prevail when a measure of such

importance is under consideration. Those who have considered it up to this time, have had one eye to the measure and one eye to the constituencies. The result is that it comes before us without having had the benefit of being considered by that healthy opposition through which it is desirable all measures like this should pass before it becomes the law of the land. I think we should recognize this fact, and, whilst desiring to give effect to the measure, yet, at the same time, we should be prepared to give it the benefit of a cool and calm consideration, with the view to amend any details which we may consider require supervision, and to provide it with those constitutional safeguards with which it is desirable such a measure should be surrounded. In proceeding to consider this matter, I shall act in accordance with the views which I have expressed, and proceed to the consideration of it with a desire, not to thwart or retard its operations, but to improve it in those points in which it appears to be capable and desirable of amendment. I hope that in regard to this particular matter the Government will meet the Council in a spirit of cordiality, and not oppose the amendments which may be made without giving them due consideration, and that they will rather be disposed to adopt the amendments in order that the other branch of the Legislature may also have an opportunity of considering them. I shall myself have a number of very important amendments to suggest. No doubt, some honorable members will also be prepared to propose other equally important amendments, and I think it very desirable that, as far as possible, the amendments which are brought forward should be adopted, in order that they may come under the consideration of the other branch of the Legislature, and so that they may have an opportunity of accepting or rejecting them. I shall introduce to the notice of the Council various suggestions, and I shall then feel my responsibility at an end, whether they are adopted or not, and, having so far fulfilled my duty, I shall cordially receive the decision which may be arrived at elsewhere. We ought not to hide from ourselves this fact: that in taking up such great works as are proposed to be given effect to by this Bill, the Government will be undertaking duties to which they have not hitherto been accustomed, and for the efficient discharge of which they have had no previous training. The Government, as a Government, has not been in the habit of undertaking large and important public works, and it is for that reason we witness in this Colony a peculiarity that is not observed elsewhere, namely, that here there is no Minister of Public Works. The construction and supervision of public works in this Colony have been left almost entirely to the provincial institutions. We are now proposing to call into existence large and important public works, and, in order to carry them out, it will be necessary to organize a large and untrained staff, and the Government will labour under disadvantages as compared with those Governments who have had long practice in connection with such works, and therefore there is a great probability that they will fall

into errors which, if they had had long practice, they would have avoided. This is true not only as regards public works, but also with regard to that large and comprehensive immigration scheme about to be introduced. Hitherto immigration has been entirely of a provincial character. We are now proposing to call into operation a colonial scheme of immigration, and it must be evident that danger attends the launching of such measures. Great errors will be committed until the machinery of the state runs freely, and these circumstances tend still more to increase our responsibility, and render it the more imperative that we should surround such a measure with those safeguards which are calculated to prevent any abuse of the system. This Bill introduces a great and almost unprecedented change in one respect. The Bill has been correctly designated by my honorable friend the Colonial Secretary as an Appropriation Act. Except so far as regards railways, this Bill is an Appropriation Bill of no less a sum than £1,900,000, which is to be handed over to the Government, and which, under this Bill, they are authorized to spend in any manner they may think proper—how they like, and when they like. The Legislature will have no direct control over them. This is altogether a new principle in connection with our legislation, and I trust the Council will join with me in the introduction of amendments which shall prevent this power being in any way abused. When I speak of abuses that may arise, I trust that honorable gentlemen who sit on the Government benches will not think that I intend my remarks to apply to them. I have every confidence in the honesty and capability of those honorable gentlemen, and I am sure they would not commit an act of a dishonorable kind, nor do that which would not be in accordance with the intentions of the Legislature. But, Sir, it is the duty of the Legislature to consider abuses which may spring up, and to provide those safeguards which will tend to suppress them. Again, we must not lose sight of the fact that this money is not all to be expended at once, and not solely by those honorable gentlemen, but that its expenditure will extend over a period of ten years, and that, during this time, we may see many different Ministries, and we may also see persons in office who may not have the confidence which those gentlemen undoubtedly possess. Now, Sir, without going into details, I will call the attention of honorable members to one or two particulars, illustrative of the way in which this measure may be abused in the hands of a Ministry capable or desirous of abusing it. I notice that, in clauses 41 and 43 of this Bill, and more particularly the latter clause, power is given to the Government to appoint persons as immigration agents in New Zealand, and that such persons are to be paid out of money authorized by this Bill, and that they can be appointed or removed by the Government. It will thus be seen that a million of money is to be handed over to the Government, and if that Government should be unworthy of the confidence of the country, if they do not realize the expectations of those who put them in office, they

may, under this Bill, in order to purchase political support, appoint any persons, in or out of the Legislature, to be immigration agents in New Zealand. They will also have the power to pay those persons any salary they think proper, and the Legislature will possess no direct power to interfere. The Government may say, "But that power will not be abused." We, however, must remember that, unfortunately, human nature is sometimes extremely weak, and that the best-intentioned people often go astray. We can easily imagine that, in certain political crises, it may become evident to the Government of the day—I do not refer to the present Government, but to Governments generally—I say it may become evident to the Government that the support of certain individuals is necessary. The power of obtaining this support by buying over an enemy or lukewarm friend is given by this Bill. This is a point which we must not overlook. Such breaches of duty have, unfortunately, not been unknown in the history of constitutional governments, and, unless the American Legislature is belied by the American people themselves, such considerations do influence the members of the Legislature of that great country, the United States. In the interests of the Government, as well as in the interests of the country, it is desirable that we should, in this particular, surround this measure with those constitutional safeguards which are calculated to prevent its being abused, and render all these payments subject to the concurrence of the Legislature. I shall, upon this point, when the Bill is being considered in Committee, feel it my duty to move that, although the Government shall have the power to incur and meet the liabilities connected with the first inauguration of these works, yet that subsequently all such appropriations shall be subject to the special sanction of the Legislature, and I trust that this amendment will be received by the Government in the spirit in which it will be proposed. It will not be desirable to make such a proviso at the present time, inasmuch as it may have the effect of retarding the progress of the works, but there is no reason why it should not be afterwards required that all those persons receiving salaries from the Government should have those salaries sanctioned by the representatives of the country. Sir, I shall now take the course which was adopted by the honorable gentleman, Mr. McLean, and refer to those different parts of the Bill which appear to be susceptible of modification and improvement. I notice that it is proposed that £400,000 is to be devoted to the making of roads in the North Island. Here, again, there do not appear to be those safeguards against misappropriation which it is desirable there should be. Honorable members who are at all conversant with the Provincial Governments of the North Island must know that in too many cases they are in a state not very far from bankruptcy, and I am satisfied that if that power be left exactly in the position in which it is proposed, it will be abused, and that the intentions of the Legislature will be thwarted. I understand it is the intention of the Government

and the Legislature that this sum of £400,000 shall be devoted to the opening up of fresh lines of roads, but it appears that it may also be devoted to the repairing of existing roads, and thereby relieving the Provincial Legislatures of the duty which now devolves upon them, and properly so, of maintaining roads already made and in a state of efficiency; and, Sir, I feel satisfied that if the Bill should be passed without amendment, a large portion of the money which is to be handed over to the various Provinces will be spent in this way. In fact, I gather from one part of the clause that it is the intention that a portion of the money shall be devoted to the maintenance of roads already made. In clause 5 it is stated that the Government may increase the width of or alter any existing road proclaimed under this Act. I fancy that this clause will apply to a road in which I am somewhat interested, but I think that if the Provincial Legislatures cannot maintain roads when made out of the funds at their disposal, a special tax should be imposed, and it is my intention to move the introduction of words which will have the effect of excluding existing roads from the operation of the Bill. As regards the second part of the Bill, referring to railways, I think that it would be the duty of the Government to consult the provincial authorities before they commenced the construction of works which will become a charge upon the Provincial Legislatures. Clause 9 sufficiently protects the country against the abuses of provincial pressure by providing that railways shall only be constructed after having been expressly sanctioned by the Assembly. The honorable and gallant gentleman, Colonel Whitmore, in the remarks which he made upon this subject, expressed a desire that the Bill should be so amended as to make it provide for the construction of a great trunk line of railway throughout the North and South Islands. The question, however, which the honorable and gallant gentleman has raised is not one that properly comes under consideration at the present time. It is one that will more properly come under consideration when a Railway Bill is brought down. In connection with the question of railway construction there are several points which the Government will require to consider. As I have already stated, they are proposing to undertake duties of which they have no previous knowledge, and unless they are careful they will only gain experience at the cost of the community. When a large scheme like this is to be undertaken, we cannot afford to leave anything to chance. We should provide those safeguards to which I have referred, and we cannot do so more thoroughly than by introducing a clause or proviso which will strengthen the hands of the Government, and prevent a departure from the plans which they may have already sanctioned. Honorable members must be aware that very frequently the estimate of a work is very much increased; in fact it is not unusual for contractors to undertake work at a price less than what is regarded as remunerative, in the hope that such additions would be made to the contract as would result in a handsome profit. I think that in order to guard

against the chance of the estimate of the work being thus increased by 20, 30, or 50 per cent., there should be an express proviso to the effect that no deviation from the contract shall be regarded as involving an increase of expenditure, unless that deviation has been sanctioned by the Commissioner of Public Works; and we should also provide that where alterations proposed are of a character likely to involve a largely increased outlay of money, that that increase should be sanctioned not only by the Commissioner of Public Works, but should also receive the sanction of the Governor in Council. If that be not done you will probably find that contracts which may be entered into in the belief that they will involve the expenditure of not more than a million of money may necessitate the expenditure of double, and even treble that amount. In the Australian colonies, when the system of public works was first introduced, a great increase on the original estimated expenditure frequently took place because of the absence of such a proviso as I have alluded to, but the Legislature ultimately insisted that before public works were undertaken, plans and estimates should be prepared, and Ministers are now held responsible for any additional expenditure. After the experience which they have had in other colonies the utmost care is now taken in carrying on all public works, and the result is that in those colonies public works are carried out on terms even more favourable than they would be by individuals. I trust that we shall succeed in introducing a proviso of that kind, and thus protect the interests of the public. There is another extraordinary power contained in this part of the Bill to which we should likewise direct our attention. Power is given to the Governor not only to construct these railroads, but, after they are constructed, to lease them upon any terms which he may think proper. There is power to expend seven millions and a half in the construction of lines of railroad, and then there is power, without any control by the Legislature, to deprive the Colony, perhaps from some error of judgment on the part of the Public Works Commissioners, or through a connivance with the contractor, of any advantages which might be expected to arise from them. It seems to me that this power, if it is to be given, ought in all cases to be subject to the control and revision of the Legislature. This is a safeguard which we ought to introduce, and I trust shall introduce. I think there will be no more judicious outlay of public money than that which is contemplated under the third part of the Bill for the supply of water to the gold fields. There is no doubt that by this means we shall render available and productive large tracts of country which are absolutely unproductive in consequence of the absence of a water supply. The evidence which has been taken before a Select Committee upon this subject shows sufficiently that if an expenditure in this direction be undertaken, employment will be given to large numbers who are now out of employment upon the gold fields, while at the same time the revenue will be increased, and probably the benefit derived will annually counterbalance the

total sum which it may be necessary to expend. The subject of immigration is an extremely important one; and there again the Government will labour under the disadvantage of not having the experience which would have resulted from the previous existence of any general system of immigration in the Colony. Sir, immigration may be extremely beneficial or it may be extremely injurious. We must not only introduce the right class of persons, but we must introduce them at the right moment. Employment and immigration must go together; if they are severed the Colony cannot but suffer. Here, however, I find that this amount of one million sterling is to be placed at the disposal of the Government without any safeguard whatever being provided. They may spend that million in one year, or they may distribute it over ten years. The person at the head of the public works department is to decide as to the rate at which immigrants shall be introduced into the Colony. In all the other colonies care is taken strictly to watch over this power, and there is no subject in which the Legislature feels more interest than in that of adapting the supply of immigrants to the wants of the colony. For the present it may be necessary to give the Government *carte blanche* in this matter; but in all subsequent years we should require that an appropriation of the Legislature be taken. So loosely is the Bill drawn up that I see that it will be quite within the power of the Agent-General for the Colony in England to give passages, and even cabin passages, to any person he may think proper. There is no protection whatever against the abuse of the powers here given to the Governor. There is another point upon this subject, which has always received the anxious consideration of the Legislature in those colonies where a continuous stream of immigration is being introduced under the auspices of the Government. They are extremely jealous in respect to the powers given to the Government as to drawing up the necessary regulations, and require that those regulations should be laid before Parliament, and receive the sanction of Parliament. I think this course should be adopted here, and that all immigration regulations should receive the sanction of the Legislature before they become the law of the land; and I shall be prepared, when the proper time arrives, to move the insertion of a provision, copied from the Victorian Act, to remedy this defect. In respect to immigration, I may say that there is a plan generally adopted in the other colonies which may be acted upon here with great advantage. It was found in South Australia that any supply of immigrants could be obtained without paying the entire cost attendant upon their passage to that country, and the sum of £4 was required to be paid by every emigrant from England before he could receive a free passage, or else that it should be paid upon nomination by some friend in the Colony. It was found there that large numbers of persons in the Colony paid the sum of £4 to nominate their friends in England, and that the persons so nominated invariably remained in the Colony. Of course those persons had to undergo

the ordinary inspection by the agent in England, and, if they were not approved of, were not allowed to proceed to their proposed destination. In this way, £100,000 was as efficacious in bringing in immigrants as £140,000 would otherwise have been. I have already referred to the large power which is given in respect to the appointment of immigration agents, a power which might be frightfully abused if the Government of the day were capable of such conduct, and I see that a similar power is contained in clause 88. By that clause power is given to the Governor at any time to appoint persons to offices, and to pay them out of the funds appropriated for these works. It must be clear to honorable members that, under that clause, there is the power of buying off political opponents, and a power of corruption, the existence of which it is emphatically the duty of the Legislature to prevent. I have indicated the various amendments which I shall bring under the consideration of the Council when the Bill goes into Committee. I have only again to repeat that the measures are fraught with weal or with woe to the Colony. I hope that the Government will receive the amendments which may be made in a friendly spirit. All that I desire, in common with other honorable members, is to improve and perfect the measure; we do not want to thwart it or defeat it, and, if amendments are made which will have the effect of improving the Bill, I hope that they may be placed before the other branch of the Legislature for confirmation or rejection.

The Hon. Mr. MILLER said that the evident unwillingness to speak which had been shown by honorable members, convinced him that they were hampered by the same difficulty which existed in his mind, of arranging his thoughts upon this subject. He was free to confess that for some time past he had believed that a judicious expenditure of money in railways and other public works might be attended with very great advantage to the country. He felt that they had arrived at the time when they ought to discard the old-fashioned notions which he fancied most of them entertained with regard to the cost of railways. He believed that it could be shown that the expenditure upon railways was not very much greater than that upon metal roads. They were told that railways could be constructed for £5,000 a mile, and he knew that a very great proportion of the metal roads in Otago had cost about £3,000 a mile. He had made the following calculation by way of comparing the cost of railways and metal roads through a period of years:—

RAILWAYS.

100 miles at £5,000	£500,000
Up-keep, at £100 a mile, for 20 years	200,000
Total cost in 20 years	£700,000

METAL ROADS.

100 miles at £3,000	£300,000
Up-keep, at £200 a mile, for 20 years	400,000
Total cost in 20 years	£700,000

If those figures were not quite correct, it was clear that, by extending the calculation over a larger number of years, the same result would be

arrived at. Although they were most of them aware of the truth of this fact, they did not sufficiently admit it to themselves, and, in undertaking railways, they did not institute a comparison between the two. Of course he did not forget that there would be the extra first cost upon railways of some £2,000 a mile, but that would be fully compensated for by the increased facilities of carriage. Holding these views, he could not offer any opposition to the Bill, neither did he intend to do so, but he must confess that he should have been much better pleased if the sums mentioned in the Bill had been less gigantic. He could not help thinking that the very fact of such large sums of money being dealt with, would have an injurious effect upon our credit in the outside world. Besides that, there was an immense difference between saying, "Here is a certain work which we consider it absolutely necessary to carry out; it will cost so much, say one, two, or three millions, and we propose to borrow that sum for the purpose," and saying, "Give us twelve millions of money, and we will construct railways all over the country." He thought that such language would not tend to improve our credit wherever the loan was attempted to be raised. It would have been wiser to have mentioned a very much smaller sum, and to have clearly defined the work which was proposed to be carried out, before there was any attempt made to raise the loan. It appeared to him that the effect of that language was already apparent. Already the Government were being persecuted by their followers. They were actually flying from their own supporters, and, like the Parthian of old, were obliged to shoot a shaft as they retreated. He could not but think that unless some action were taken which would rescue the Government from this unfortunate position, this scheme, comprehensive as it was, and great as was the grasp which it had taken, would fall by its own weight—the beautiful edifice which everybody had contemplated with admiration would tumble into ruins. If ever there was one duty more necessary than another for the Legislative Council to perform, it was that of rescuing the Government from the coercion to which it was being subjected, and it ought to take a determined stand, whatever might be the consequences. If it saw that the Government was being compelled to undertake works which they would not have recommended to the country of their own free and unbiassed will, then was the time for the Council to say, "We will not permit this; we will not allow the country to be involved in liabilities for the purpose of constructing works which will probably be useless, which will cause a wasteful expenditure, and which will leave us nothing to bequeath to our children but debt, stagnation, and disgust." He spoke in such strong terms because he felt so keenly the immense injury which might be done to this country if the large sums which were mentioned in the Bill were not judiciously, wisely, honestly, and economically expended. It had been said that the Council represented the property and the conservative interests of the country. What was it that would have to bear

the burdens, the heat, and the sweat of the long day, if those glittering schemes should fail? The landed interest would have to bear it all. There was a great difference between the position of the home country and a young country such as this. In England there were millions of people who could be readily reached and brought under the tax gatherer's influence, but in New Zealand there was a large fluctuating gold fields population, here to-day and gone to-morrow, who could assist us in involving the country in an enormous liability, but who, when once we were plunged into debt, could do nothing whatever in the way of helping us to pay the interest upon it. When he reflected upon the enormous sums which were mentioned in this Bill, he must say that he did feel a little staggered, however great might be his confidence in the wisdom, and the prudence, and the honesty of purpose of the members of the Government. He could not but feel that when a Government undertook such an enormous expenditure, it was sure to be surrounded by an army of hungry applicants, who were looking after their own selfish and sordid interests; and it was that fear which made him feel and speak so strongly, and which made him determine that if he believed in his heart of hearts that the Government would be compelled to undertake any schemes which it did not really approve, it was his duty to cast aside all other considerations and oppose it tooth and nail. It was rather difficult to make out the actual sum which the Government proposed to raise as a cash loan, from the statement which had been made, although he admitted that in every other respect the statement of the honorable member had been most clear and distinct. The honorable gentleman told them that the amount of the cash loan was £4,000,000; that 2,500,000 acres of land were to be set aside for railway purposes; and that £5,500,000 was divisible into land, guarantees, purchases, subsidies, and what not. That represented twelve millions of money. It was a pretty tidy sum to be made up of three items. It appeared to him that if they really did set apart two and a half millions of acres of land, a very great proportion of the five and a half millions of money must vanish, because when one and a half millions of acres were taken out of the Colony, it would be very difficult to find much more good land. Whether that was right or wrong, it came very much to the same thing as money in the long run, because, if so much land were set apart for those purposes, the revenue would be deprived of just so much. He did not profess to know any thing about the desirability of expending money upon waterworks for the gold fields. It might, perhaps, be a very wise thing, and he must be content to trust those who asserted that it would be reproductive. He must also be content to trust to the Government to carry out the proposal to purchase land in the North Island, as he was altogether ignorant of the subject, and he only hoped that that portion of the scheme would turn out well. Of course, everybody must concur in the proposal to construct roads in the North Island. With respect to immigration, he

thoroughly agreed with the remarks of his honorable friend Mr. Waterhouse, as to the very extensive powers which were taken, and he hoped sincerely that the Government would accept the amendments which he and other members might propose. It was notorious that the Colony laboured under great difficulties in regard to this question of labour. Both the employer and the employed had great reason to complain. The employer was subjected to an exorbitant rate for labour during the busy season, and the employed were unable to obtain work all through the year. That was very clear at the present moment. Large deputations of those who called themselves "the unemployed" were now besieging the Canterbury and Otago Governments. Let the Government therefore beware, when they commenced this scheme, of pouring men into the Colony in great numbers, without being quite certain that there was plenty of work for them to do, or they would be populating the neighbouring colonies at the expense of New Zealand. He hoped that when the Bill went into Committee the Government would give its serious attention to the amendments which were about to be proposed. He believed that there was not a single member of the Council who was not anxious to render every possible assistance so as to make this measure useful, workable, and feasible; but it must be evident to the most ordinary understanding that, situated as the Government of this country was, it was subjected to political influences against which it was absolutely necessary that some protection should be afforded. It seemed to him that it would be wise and prudent to follow the course which had been taken by the Government of Victoria when the railways were inaugurated in that colony, and however necessary it might have been to create a board of works in that colony, to decide upon all matters relating to public works, it was infinitely more necessary to adopt some such system in New Zealand. He found the following in the report of the board of land and works for the Colony of Victoria, dated November, 1862:—

"The Committee prosecuted the inquiry with diligence, and on the 27th of the same month brought up their report.

"They agreed with the House of Assembly that main trunk lines of railway for the colony should be constructed as soon as possible, and that they must be constructed by the state.

"That the two lines proposed by the Government, and sanctioned by the Assembly, *i.e.*, from Melbourne to the River Murray, and from Geelong to Ballaarat, were those best calculated for opening up the country.

"That the lines should be made in a substantial manner, with a double track of rails; and they saw no objection to the proposed issue of debentures for raising the necessary funds.

"An Act was also passed to establish a board of land and works. This established the board of land and works—to consist of not less nor more than five persons, who should consider and determine all matters relating to the adoption of any plans and specifications for public works, and

should decide upon the acceptance of all tenders for such works, and the terms upon which the same should be accepted, together with the nature and amount of security to be given for the performance of any contract arising out of the same."

He thought that some such course would not only be wise to adopt here, but absolutely necessary. Of course, theoretically, the board of works would be subject to the control of the Assembly, but if the members of the board were able and first-class men, the board would practically become a kind of arbiter in those furious disputes between different parts of the Colony, and he believed that, in nine cases out of ten, their decision would be accepted as final; at any rate, he could see no other way of carrying out the scheme with any reasonable prospect of economy and success. He could not forbear alluding, for one moment, to the telegram which had been received from the Commissioners, to the following effect:—

"London, 13th June, 1870.

"Guarantee Million Loan Bill not yet drafted. Our proposals are that the loan is not to bear more than 4 per cent. interest; not more than 200,000 to be raised in any one year; the sinking fund of 1 per cent. not to commence until after expiration of ten years, or until the whole million has been raised, whichever happens first; the whole to be expended on immigration, roads, bridges, and communications. We don't yet know whether these proposals are accepted by Treasury, but Cabinet really anxious to assist Colony. Let Assembly pass an Act authorizing loan of million to be expended on immigration, roads, bridges, and communications."

It certainly did appear to him that if the Commissioners were not in the confidence of the Government, they would be pretty considerably astonished when they came out, and the present Bill would appear to them like a burlesque upon that telegram. While they were talking gravely about raising a million of money, and not more than £200,000 in any one year, the Government was proposing an expenditure of £13,540,000! That amount he made up in the following way:—

Cash loan	£4,000,000
Land	2,500,000
Land and guarantee	5,500,000
Defence	790,000
Floating debt	750,000

Total £13,540,000

Adding that amount to the present debt of the Colony, we should be in for £20,500,000. It was quite clear that, however much we might progress,—he did not mean to say that we should not progress; God forbid that he should think so; if he did he should not like to stay in the Colony—even if the various works paid interest, we should have to double our revenue to be in the same position in which we were now. He had heard this question of immigration discussed publicly and privately in all kinds of ways. People always referred to the labouring class only, forgetting the immense number of families which

were spread over England, possessed of various sums of money, from £5,000 to £30,000; people who paid from £150 to £200 a year house rent; who would be only too delighted if they could come and settle in a country like this, where they could find occupations for themselves. Did they fancy that they were going the right way to work to invite such a population? They might come out if they heard that a moderate sum was to be expended in constructing railways, but they would not do so if they knew that the whole of the revenue might be swallowed up in interest, and that the country would have to find some means for doubling its revenue when the money had been all expended. The Council represented that class of people, and he would ask honorable members how many of their friends had come out to join them during the last few years? They would not come out. True, the reason he had suggested had not been that which had actuated them hitherto, but they would take it into consideration in the future. They heard by every mail of the enormous number of young men who could not find employment, and this was the very country for them to come to. They would not, however, come out, if they were "deprived of the hope," as Mr. Bright has said, "of a free breakfast table for the rest of their lives." He had endeavoured to express what he really thought, but he was afraid that he had done so in a very imperfect manner. He could assure the Government that in anything he had said he did not wish to imply any distrust as to their action, but he knew from experience that where very large sums were to be expended, the greatest possible prudence and foresight was required to avoid a tremendous waste of money. He had therefore felt it necessary to guard himself, in supporting the second reading of this Bill, from being committed to any future support, if he found that the Government were being compelled to undertake schemes which they would not have recommended of their own free will.

The Hon. Mr. GRAY said that he approached the consideration of this subject with very great diffidence; but as the debate seemed likely to collapse unless some one came forward, he would endeavour to state his opinions upon the question. He viewed with very great fear the possible effect and result of the Bill now under their consideration, not because of the magnitude of the scheme in itself—though that, he thought, might well make them pause before they gave effect to this measure—but because he feared chiefly the effect of giving to a Parliament, constituted as ours is, such vast borrowing powers as were provided for under this Bill. We have seen, during the last few days, something of the danger to be anticipated in that direction. Pressure has been brought to bear upon the Government by the Provinces and the Superintendents of Provinces, and that was only a foretaste of what they would see in the time to come. He did not wish to animadvert harshly on the Government, but he thought they had in this matter shown a great, if not a culpable, weakness in giving way to that pressure. He would ask what guarantee had they that any future Parliament—and this Bill, be it remem-

bered, particularly provided that future Parliaments should deal with this matter—would be better constituted than the present one, and would not be influenced by the same considerations. He thought, looking to the fact that, as a Parliament, they were merely the representatives of the Provinces, that a satisfactory answer could not be given to that question. Nothing like an absence of corruption could be hoped for. On the contrary, he believed that the knowledge that such a large sum was open for distribution would have the effect of rendering our legislation reckless, and it would also encourage the extravagant demands of local bodies who, when such a tempting bait was laid before their eyes, would certainly scramble for it in the fear that, if they did not at once put in their claim, they might be shut out from the distribution altogether. He did not propose to deal with the details of the Bill, inasmuch as he was not well up in figures, and did not possess the practical knowledge which would justify him in so doing. He would rather confine himself to the general principles of the measure. There was no doubt that there was a very great fascination to many minds in the grandeur, the brilliancy, and the boldness of a scheme of this description, and, more than that, there was very much to be said in favour of the development of the country by the expenditure of large loans of that kind. He was fully alive to that fact which had, in the first instance, indeed, recommended the scheme to his mind; but, upon further consideration, he must say that his opinion was altered to a very considerable extent. He believed, if a large expenditure of this kind were properly administered, that very good results would follow. That opinion had been expressed by many honorable members as the very point at issue, and he, for his part, heartily agreed with it. He felt that they were called upon to take a plunge in a "shut your eyes and trust to providence style," and he would like to know where they would land. That was the principal consideration. The fact is that we have been so chastened and kept low by the many afflictions that we have suffered during the last two or three years, first, by the enormous costs which have been entailed upon us, and the heavy taxation consequent upon the Native war, and secondly, by the commercial depression from which we, in common with a very large proportion of the world, and especially of these colonies, have suffered, that we are thoroughly weary and heart-sick, and are ready to jump at the tempting bait, the brilliant future, the great hopes that are held out to us. Notwithstanding that, his great fear was, that after providing all those great facilities for transport and for the opening up and developing of the country we should find, with respect to the rest of the world, that our market was in the same position which it was at present. It was proposed to provide great facilities for taking our produce to our ports, but that in itself would not make us rich unless at those ports there was a profitable market for our produce. He thought it would be generally admitted that the products of our soil had been raised at a

loss—in many cases, at a very considerable loss—to the producers; and the facilities which it was proposed to provide, although they might somewhat diminish the loss, would not make the difference between profit and loss. If, for instance, a product was now being grown at a loss of, say, one shilling per bushel—as it was, he believed, in many cases, in the matter of cereals—facilities were provided which enabled the farmer to bring it to market at threepence a bushel less than at present; it was manifest that he still grew it at a loss, and there was, therefore, nothing to stimulate or increase the production. It might be that the vast outlay which was proposed might stimulate new industries, might develop new sources of wealth, and it might, as a matter of course, bring after it a large and prosperous population—a population containing an element of permanence in it, who, being prosperous themselves, might lighten the burden of our taxation. He hoped that such might be the result. They also might, and certainly would, in that event, provide a market for us at our own doors for some portion at least of our now superabundant productions. That would be the realization of our hopes. That was the idea, doubtless, which actuated the mind of the very able originator of this scheme, and he gave the Government credit for the ability it had shown in the initiation of this scheme, although he feared that in detail it would break down. He would entreat the Council to pause before giving this Bill the effect of law. If such a result as he had depicted did not come about as the natural consequence of the operation of this measure, we should be utterly “smashed up.” Honorable members laugh—well, the expression might not be exactly parliamentary, but there were no other words which would explain his meaning so well. He maintained that the blow would be fatal. It was idle to suppose that the scheme of immigration proposed in the Bill would bring about the results which many sanguine persons prophesied of it. The amount of population brought in by that means would do very little to lighten the burden of our taxation, unless coincidently with this scheme of immigration, and consequent on the inherent attractions of these islands as a field for colonization, enhanced as they might be by the artificial advantages sought to be given by this measure, there might settle permanently in the Colony a large population which would find profitable occupation. Unless this result should follow, he felt certain this scheme was much too large. He would only trouble the Council with one other point, and that was one which most honorable members would agree with him was an important though a disagreeable one, namely, the opinion which was commonly expressed abroad that, no matter what happened, the Bill would have the immediate effect, if put into force, of increasing the value of all property, and thus enable people to take advantage of the artificial prosperity it would produce, to dispose of their property and clear out. He had heard, with feelings of shame and sorrow, this opinion expressed. Anything more utterly

selfish and unpatriotic could hardly be given utterance to; but honorable members must not shut their eyes to the existence of this feeling, and he thought it indicated that the people of this country were not heart-whole in their support of this scheme, but that they merely looked upon it as a means of relief from present suffering. For the reasons he had stated he would feel bound, from his conscientious convictions, to go to the extreme length of voting against the second reading of the Bill.

The Hon. Captain FRASER said that every honorable member was expected to express an opinion upon this, the most important measure which had ever been brought before the Legislature, and it was the more requisite because he doubted very much if they had seen any real expression of opinion elsewhere. All healthy opposition seemed to have melted like snow before the glittering millions. He could not better illustrate the unhappy feeling in the Parliament than by relating an occurrence which took place in a small town in Scotland. Some children were in the habit of playing in the street, one of whom did not appear to be a favourite; but a day arrived when her companions crowded around her and appeared to admire her immensely. A little companion joined the group, and, seeing the unusual occurrence, naturally asked, “What is all this?” Let honorable gentlemen mark the reply. The reply—which showed the depth of the meanness of the human heart—was, “Mary has found a penny.” It was supposed that she would immediately invest in sweets, and all her little friends expected to participate in the benefits of the discovery. The Colonial Treasurer (Mr. Vogel) had found a penny. He was stampeeded to death by persons seeking employment in various ways, and he was dying from the *embarras de richesses*. He might say that he intended to support the second reading of the Bill. He was in favour of progress. He approved of the best part of the scheme, and would reserve to himself the right to propose, in Committee, any amendment which he might deem necessary. However, to be concise, he might say that, with one exception, he approved of all the proposed expenditure in the North Island. He was, however, not favourable to the inauguration of an extensive system of railway construction in a thinly populated, poor country. Six years ago he visited an empire from which twenty countries like New Zealand could be taken without being missed, and there only sixty miles of railway had been constructed. He repeated that he was entirely averse to the inauguration of a great railway system in a poor country. Let them take, for example, the much-vaunted Clutha railway, which it was proposed to construct in Otago. If any railway would pay that would. It would pass through the richest part of the Province—which was essentially an agricultural district—it would also pass through a large flourishing town which would become the entrepôt of the up-country produce, and there were no engineering difficulties. Nevertheless, with all those advantages, he was satisfied that the Clutha railway would not pay expenses for many years, and

he would suggest that the Government should not plunge into that work of which the honorable and gallant gentleman (Colonel Whitmore) had spoken—the construction of a grand trunk railway, but should wait for at least one year, until the other railway had been completed. The Province of Otago could complete that railway whether this larger scheme was inaugurated or not, and if the Government waited until it was completed, they would be in a far better position to obtain particulars as to the probable cost of the construction and maintenance of the railways they proposed to construct. Coming to the question of immigration, he might say that he considered immigration was the life blood of a country, but, on the other hand, if people were poured into a colony too rapidly it might be fatal to the system. As had been stated, it was necessary, in conjunction with immigration, to construct public works in order to give employment to immigrants when they arrived in the Colony. That being the case, they might pay too dear for their whistle. The matter, however, was entirely in the hands of the General Government, and they must be responsible to Parliament for the manner in which it was carried out. The Provincial Governments had nothing to do with it. He now came to deal with a matter with which he was better acquainted, and could, therefore, speak more confidently, namely, water supply to the gold fields. He was glad to see that the Government had at last done justice to the much-neglected gold fields. Hitherto it had been left to the unaided efforts of the miner to develop the resources of the gold fields. In the early days of California, English capitalists invested a great deal of money in making water-races, some of which paid as much as 40 per cent. per mensem, and if they were in work for even six months the investments would have paid exceedingly well. In Victoria, too, large sums of money had been expended in connection with the gold fields of the Colony. With the permission of the Council he would read an extract from an admirable work published by Mr. Brough Smyth. He stated:—

“Large works are now in course of construction for the supply of water to the gold fields of Castle-maine and Sandhurst and the town of Geelong, and schemes have been devised for other districts which would necessitate an expenditure in the aggregate of probably, £2,000,000.”

And in another place, he said:—

“In the same spirit we should inquire whether water will be used largely for sluicing and hydraulic mining. That it will be used abundantly on our gold fields, and largely increase the yield of gold fields, and largely increase the yield of gold is certain; but it is pretty generally admitted by practical men that, as a rule, it will be employed most beneficially in the quartz mills. Unless the fall be sufficient it cannot be used effectively in hydraulic mining, and our stiff clays, which, when treated with water form into hard round balls, will not be easily reduced by ordinary methods. But a plentiful supply of water for the gold fields is an absolute necessity if we are to continue rich and prosperous, and

once available, the skill of the miner will soon be employed in such a way as to make a profitable use of it.”

Unlike all other works, money expended in connection with gold fields became at once remunerative. If they expended £100,000 in taking water to gold fields it represented so many heads of water, and that would represent so many ounces of gold. We knew where the gold lay and where water was to be found, and it was the union of both they required, knowing, as they did, that if the money was judiciously expended, the population of the gold fields would be greatly increased, and so also would the production of gold. If the money proposed to be expended in connection with the gold fields was expended judiciously he should entertain no doubt as to the result—the amount of gold would be at least quadrupled.

The Hon. Mr. HOLMES.—Sir, I fully recognize the gravity of my position in addressing the Council at this time. The magnitude of the propositions of the Government is such that, if properly carried out, they will be of the most essential benefit in developing the resources of the Colony, while, on the other hand, if the money is squandered, as has been too frequently the case hitherto, it will lead to disaster, from which we will not recover for the present generation. There appears to be some misapprehension in the minds of some honorable members as to the borrowing powers conferred under this Bill. In debentures, land, and guarantees, it really amounts to close upon thirteen millions; but, assuming that the five and a half millions in land and guarantees will not be required for some years to come, our position would stand thus:—

To be raised on debentures	... £4,000,000
To be raised for defence, &c.	... 1,000,000
To be raised against two and a half million acres land	... 2,500,000
	£7,500,000
Debt now due by the Colony	... 7,500,000
	£15,000,000

Which, at 6 per cent. per annum, would give a yearly payment of £900,000 a year. Now, when we consider that the estimated ordinary revenue for the current year is only £816,000, and if our hopes as to its increase in the future are not realized, we may be obliged to give up every shilling of our ordinary revenue to pay the interest on these loans, and, if there are no corresponding benefits conferred upon the community, a gradual withdrawal of capital, which will all go into the pockets of foreign capitalists, will have the effect of gradually impoverishing the colonists to an extent that we can have no conception of at the present time. Sir, the Bill now before the Council recognizes the principal wants of the Colony as a system of cheap railways throughout both Islands, and roads and immigration. Before this scheme was propounded I was of opinion that the Government should contract a loan for these purposes, but my ideas did not extend either to the first or to the last proposition of the

Government. However, the magnitude of the proposals now before us is no reason why we should balk at them, as the whole sum named is not adequate to open up both Islands properly. Sir, one of the most hopeful signs of the period is the fact that the Maori war may now be looked upon as a thing of the past. In former years a large proportion of each session of this Legislature was taken up with discussions about the Maoris; this session scarcely a day has been taken up exclusively with that subject, and the minds of our rulers and the people generally seem to be concentrated upon the best means of opening up and settling every portion of the Colony. We are now just commencing the real work of colonization; the efforts of those who may be looked upon as the pioneers of civilization have stocked the Colony with valuable breeds of animals, cultivated sufficient for the wants of the population, and opened up gold and coal mines; so that, should a large influx of immigrants pour in, we shall be able to feed them at a cheap rate, and with the public works intended to be executed there will be abundance of labour to keep them employed. I think, therefore, that the time has arrived when we should entertain the question of the settlement of the country, and introduce as large a number of immigrants into it as our means will permit, and place them upon the land, so that they may have an opportunity of developing its resources. And, Sir, I cannot but pause to think how wanting in our duty we should be to our fellow-countrymen at home, who are, many of them, living in what we should consider abject poverty, and not a few in a state of complete destitution, were we not to make an effort to enable them to join us here, especially when we consider that there would be a double benefit to them in placing within their reach liberal wages, plenty of good food, and the certainty of their becoming independent in a few years, as the result of sustained industry and sobriety. The profits of an ordinary labourer for one year would enable him to buy the fee simple of at least thirty acres of agricultural land, such as he never could have dreamt of possessing in the mother country; and to us there would be the great benefit of settling an industrious population on our waste lands, which only require a very moderate amount of labour expended upon them to make them productive. Sir, in thinking of these things the mind is lost in the grandeur of the future of these Islands—their insular position, fine temperate climate for Europeans, prolific soil, capable of growing all the products of Britain and most of those of the Continent, and mineral productions only waiting for a large population to develop them. There is no way of spending public money more immediately remunerative than that of the introduction of immigrants. It is a well-ascertained fact that every immigrant ship introduces capital, in the pockets of the people, at least equal to what their passages cost, and this money becomes an addition to our colonial capital; besides, they contribute £4 per head to the ordinary revenue—a very fair interest on the money expended upon their introduction—in addition to the profits accruing from

their labour every year, which should amount to a still greater sum. Another argument in favour of immigration is, that so long as it continues the prosperity of all classes is sustained, while a stoppage invariably produces depression amongst all the members of the community. For a colony to remain stationary means physical, mental, and moral decadence. America is a notable proof of this. There is no doubt that its continued extension and prosperity is promoted by the constant influx of people; all classes there, unlike the working classes of these colonies, welcome the new comers as their best friends. I am told that the value to the state of every able bodied adult male is reckoned as worth £200. It is only when a country becomes densely populated, so that there are sufficient hands for all its agricultural, pastoral, and manufacturing requirements, that it can afford to cease importing immigrants. The labouring classes generally have very mistaken ideas on this subject, supposing, as they do, that the importation will lower wages; but they should remember that they can only hope for employment so long as their labour yields a profit to their employers. Whenever wages are so high that a return for the capital invested cannot be secured, the pursuit is given up and the hands are out of employment. That is notably the case at the present time. Many employers would engage double or treble their present number of hands, if they could get them permanently at wages that would yield a fair profit, and many branches of industry are untouched that would be of great benefit to the country, and afford employment to a large number of men, if the labour market were in a settled state. It is evident, therefore, that the labourer is as much interested in this question as any other member of the community, because an increase to the population means a greater demand for agricultural produce, live stock, and the productions of artisans, the price of labour, in the meantime, being at a rate that will leave a fair margin of profit to the producer. Another question of vital importance is, What class of persons are we to introduce? My own experience, as an employer of labour, would lead me to prefer the small farmers from the lowlands of Scotland, the north of Ireland, and the best agricultural counties of England; farm labourers from the same districts; shepherds from both sides of the borders—the Lothians, Perth, and Stirling shires—Prussians, to be selected by Goddefroy and Sons, Hamburg, who would gladly take debentures, bearing about 5 to 6 per cent., in payment for their passage money, and who, from their great experience and high character, might be relied upon to send us a most valuable class to settle in distinct communities in different parts of both Islands. I can bear testimony to the excellence of the people forwarded by this firm, and their complete adaptability for colonial life. In South Australia, the wonderful development of agriculture was largely owing to them. They were able to grow grain at a low price, on account of their persevering industry and economical habits, when others failed. In Victoria, they have been a great acquisition, not only as farmers, but also as vine-

dressers, carriers, &c.; and at present Queensland is adding largely to its population from the same source. They are peculiarly adapted for this Colony, especially for this Island, as the men are all trained soldiers, capable of bearing arms at a moment's notice, and equal to any troops in the world. Five thousand men and their families, settled along the West Coast, would render war in that locality impossible in future. Other classes worthy of consideration for settling on the West Coast of the Middle and Stewart's Islands are Norwegians, Nova Scotians, and people from the North of Scotland and the Orkney and Shetland Islands. There they would have fine harbours, splendid timber for ship-building, and the sea teeming with valuable fish for curing. Although we think the climate moist, it is a paradise as compared with that where they come from. Grants of land would enable them to live comfortably and cheaply. By this means we could utilize a portion of the Colony that would not be occupied by our own people for many years to come. But, before entering upon their introduction, the question arises, How are they to be settled, and what attractions can we place before them to induce them to select this Colony for their future home? The first requisite is constant employment at a fair rate of wages. This can be secured for them only by commencing public works, such as are proposed by this Bill, in different parts of the Colony. But the greatest attraction is the certainty of their being able to purchase, on easy terms, lands upon which to settle permanently. I never met with a man of any grade who did not desire to possess a piece of mother earth. It is the one dream of the life of agricultural labourers especially, which can never be realized in old countries. Hence, the large number of the best of that class who emigrate. It will, therefore, be necessary to have a good supply of land in the market ready for settlement. Our land system in Otago is very defective in that respect. The regulations are so complex that only bush lawyers can understand and take advantage of them. The difficulties thrown in the way of purchasers would lead one to believe that the Government was conferring a special favour in allowing people to purchase, whereas, the obligation is all on the other side. The regulations in Canterbury and Southland are plain and equitable. I hope that the other Provinces will facilitate the new settlers in securing farms without delay after their arrival. The class of immigrants sent to Otago have been all that could be desired. I never saw a more intelligent or trustworthy class of men in any country. Messrs. P. Henderson and Co., who send them out, have agencies all over Scotland and the north of Ireland, so that they can at any time secure all that may be required, at all events, for Otago. Where no such organization exists, the Colony should have agents to select the immigrants, and none should be sent out who are likely to become a burden upon the Colony. Our interests are opposed to those of the mother country in this matter. They desire to get rid of their useless classes, while we want the

very best of the working population which can be induced to come. My own experience leads me to think that in order to get such persons we must give them free passages. The second portion of the Bill relates to public works. That also I am in favour of, provided we could hedge it round with conditions so stringent that there could be no doubt as to the proper administration of the money; but how to do that is the question. I have as much confidence in Ministers now in office as I should have in any that could be selected out of this Parliament, but I shrink from the responsibility now placed before me. If the money to be borrowed is spent judiciously, the result will be the progress and permanent settlement of the country; but if it is wasted in works that are not of a reproductive character, the indebtedness will remain as a millstone round our necks without any compensating advantage. The manner in which payment may be made for these works deserves the first consideration. There are five modes suggested, namely, cash derived from the sale of debentures; land to be taken by the contractor in lieu of money; a guarantee of, say, 6 per cent.; a subsidy not to exceed one-third of cost, or a lease of the line. The first is, in my opinion, decidedly the best, and is the only mode that should be adopted so long as money can be obtained at a rate of interest not exceeding 6 per cent. It will be found in the end the cheapest, and it involves least difficulty with contractors. In giving land there is usually a loss of from 10 to 20 per cent., as contractors intending to sell it again must be in a position to undersell the Government, who, by the fact of their giving the land instead of money, prove that there is abundance to dispose of at the ordinary upset price. Guarantee is not objectionable, provided the lines can be made at a reasonable price and traffic charges fixed at a moderate rate, but usually such lines are not managed so much for the public good as for the interest of the contractor. Giving a subsidy I object to completely and leasing lines is open to the same objections as the foregoing, as I feel assured that the interests of the public would be of secondary consideration; the charges, instead of being kept as low as possible, would be placed as high as the law would allow, and the line itself would not be maintained in as good repair as if it were in the hands of the Government. I am strongly in favour of the Government making all the lines, and working them under an efficient engineer. The difficulty will not be greater than that of working the telegraphs, once the lines are fairly opened; besides, they will be worked cheaper, and the public, through their representatives, will have the control of them—a matter of very great importance. Another question is, What lines are to be made? I hold that the main trunk lines in each Island should be made first, beginning at the different centres of population, and that a uniform gauge should be adopted throughout, so that the rolling stock may suit everywhere. The money set apart for railway works should be appropriated to that and nothing else, and diversion of the funds to other purposes should be looked upon as a breach of

faith with the Legislature. I do not approve of the large sum of £400,000 being spent on roads in this Island. Where practicable, railways are cheaper and more easily kept in repair. The only roads that should be allowed are those for military purposes—towards Taupo for example. In settled districts road boards should be established, which should receive a subsidy in proportion to the taxes collected, as in Otago. This system relieves the Government of a great deal of work, and places the roads under economical and efficient management. The £300,000 for water for the gold fields needs much consideration. Were there a reasonable hope of the outlay really benefiting the diggings I would give it my cordial support, but experience proves that on all the gold fields vast sums have been lost in extensive waterworks. I may instance California, Victoria, and Otago as examples. I can only say that any well-devised scheme, likely to be of permanent advantage to the diggers, shall have my support. Sir, if the works referred to in this Bill are carried out judiciously, I have no doubt that there will be a large influx of people from voluntary immigration, and that this increase will necessitate an extension of agricultural pursuits; mechanics and artisans of all kinds may hope for some advantage, and even the unfortunate squatters may get something like a fair price for their stock. The value of landed property within five miles of the main lines will be doubled, as cheap and rapid carriage in such a country as New Zealand is one of the first elements in a farmer's calculations when either buying or renting land. On reviewing the whole matter, I am of opinion that the present Bill, if properly carried out, will confer great benefits upon all classes of the community, but much depends upon careful and economical administration. Posterity will have no reason to complain of the debt if they get the full value in reproductive public works.

On the motion of the Hon. Colonel RUSSELL, the debate was adjourned until next sitting day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced the following messages from the House of Representatives:—

The Nelson Waste Lands Bill, the Nelson Crown Lands Leasing Bill, and the Otago Road Boards Ordinance Validation Bill, were read a first time, and the second readings fixed for next sitting day.

That the House of Representatives had agreed to the amendments made by the Legislative Council in the Election by Ballot Bill.

SALE OF SPIRITS IN NATIVE DISTRICTS BILL.

This Bill was read a third time, and passed.

CENSUS BILL.

This Bill was read a second time, considered in Committee, reported with amendments, read a third time, and passed.

RESIDENT MAGISTRATES EVIDENCE BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that its object was to provide a remedy for difficulties which had been found to exist in respect to the jurisdiction of Resident Magistrates' Courts in cases where the defendant was not within the district in which the suit was brought. It sometimes happened that witnesses had to be summoned from a great distance; indeed, he had heard of a person having been summoned from Otago to attend the Resident Magistrate's Court in Auckland. It was obvious that such a course must entail very great injustice. The Bill proposed to provide that witnesses in distant parts of the Colony might be examined before a resident magistrate, power being given for cross-examination, the depositions which might be taken being used in the district where the action was brought. The same principle was also to be applied to District Courts. It was in accordance with a similar practice which was adopted in the Supreme Court. In cases where they had to deal with witnesses residing at a distance, commissions to examine witnesses were issued.

The Bill was read a second time, and ordered to be committed next sitting day.

OTAGO HUNDREDS BILL.

The Hon. Captain FRASER, in moving the second reading of this Bill, said he considered it was due to the Council that he should make an apology for the apparent discourtesy of the Provincial Executive of Otago in condemning, untried, a Bill of a similar nature which was passed by the Council in a former session. When the intimation was received that the Bill had been passed, the Provincial Executive became excited, and forwarded a strong protest to the Government, from which he, as Deputy Superintendent, dissented. The Provincial Executive considered that the Parliament ought to have consulted them before passing the Bill. It was rather unfortunate that the powers of the Provincial Government had not been more fully defined. Ultimately, a special meeting of the Provincial Council was called, when the matter was discussed, and, with the exception of one or two slight alterations, they accepted the Bill. Singularly enough, one of those alterations was very much in favour of the runholders. Mr. Donald Reid was one of the members of the Provincial Executive, and, though he might differ from that gentleman in regard to many questions, he had always looked upon him as an honorable and upright man, and the opinion of that gentleman was that runholders should possess the same pre-emptive right as they did in Australia—640 acres. However, the subject had been discussed and re-discussed, and it had passed through the other House without being amended. He trusted the Council would accept the apology he had offered and pass the Bill.

On the motion of the Hon. Mr. SEWELL, the debate was adjourned until next sitting day.

THIRD READINGS.

The Hawke's Bay Renewal of Licenses Bill, the Marine Bill, the Census Bill, and the Payment to Provinces Bill, were considered in Committee, reported without amendment, read a third time, and passed.

The Council adjourned at a quarter-past six o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 25th August, 1870.

Public Petitions Committee—Schools of Mines and Agriculture—Otago Dock Board Ordinance—Savings Banks Bill—Stamp Duties Bill—Agricultural Produce Lien Bill—Merchant Ships Officers Examination Bill—Wairoa Lands Bill—Qualification of Electors Bill—Grey Valley and Teremakau—Wairoa Military Settlers—Reprint of Statutes—Gold Fields of Westland and Auckland—Case of J. Lundon and F. A. Whitaker—Militia Bill—Sales for Non-payment of Rates Bill—Gold Duty Bill—Postal Service to San Francisco—Third Readings—Crown Grants Bill—Public Trustee Bill—Payment of Common Jurors Bill.

THE SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the report of the Public Petitions Committee on the petition of the Wanganui Veteran Volunteers, which was read, and ordered to lie on the table.

GREY VALLEY AND TEREMAKAU.

Mr. EDWARDS brought up the report of the Select Committee on the petition of certain inhabitants of the Grey Valley and Teremakau district, which was read, and ordered to lie on the table.

SCHOOLS OF MINES AND AGRICULTURE.

Mr. HALL asked whether the Government have had under their consideration the desirability of giving effect to the prayer of the petition which he had recently presented from the members of the Philosophical Institute of the Province of Canterbury, which was to this effect:—

"We, the undersigned, members of the Philosophical Institute of Canterbury, beg most respectfully to bring before your honorable House the expression of our opinion that the time has arrived when the mining and agricultural interests of this Island require, for their further development, the establishment of a school of mines and agriculture, in such a position as may best meet the convenience of the chief centres of industry. We believe that the importance of the interests which would be served by the foundation of such a school is second to none in New Zealand, and that the further extension of those industries requires that instruction should be within the reach of those who may desire to avail themselves of the advantages which such a school of applied science will afford. We beg, therefore, to respectfully petition that your honorable House may

see fit, during the present session, to take such steps as may be necessary to establish a school of mines and agriculture in this Island."

The petitioners did not suggest any particular spot at which this school should be established, but he had reason to believe they were impressed with the advantages which the city of Christchurch, for a variety of reasons, offered for such an establishment, one of which was its convenient and central position. There were many other reasons which it would be out of order for him to introduce on that occasion. He had intended to ask the House to have this subject referred to a Select Committee, but, owing to the advanced period of the session, he must labour under very considerable difficulties in having it properly considered by that means, and, therefore, he did not want to do so if he could find that the Government had taken already, or would engage to take, the subject into its consideration, and that there was any reasonable probability of the subject being dealt with by the Government.

Mr. VOGEL said that this was not a matter which had been discussed in the Cabinet, nor was he prepared to give any pledge which would in any way bind the Government to take the question into its consideration as a colonial one. No doubt, whenever the question of education generally was considered by the Assembly, and it became a question as to how far, if at all, the Provinces should be relieved of their responsibilities, this might be a branch of education fairly open to the consideration of the House. At present, he was at a loss to understand why the Province of Canterbury, if it thought it desirable to establish a school of mines, should not do so out of the means at its command, asking for any reasonable assistance which the Government might be able to give on account of the special facilities it possessed in the shape of a geological department, which was a colonial institution, and which was maintained at the cost of the Colony.

Mr. HALL said the honorable member had misunderstood him. He stated, when he read the petition, that the petitioners did not ask that the school should be established in any particular locality, but that there should be such a school established for the Middle Island.

Mr. VOGEL said the remarks he had made would apply to the petition. The Government had not had the matter under its consideration. He believed that a school of mines was being established in the Province of Otago at the cost of the Province. Some misconception had arisen in respect to the proposals in regard to the geological department in Wellington. It appeared that, in the first instance, an address was given by His Excellency the Governor, and those who were present were led to believe that the officers of the institution had come down with a proposal to establish a school of mines, and that the Government were to be asked to approve of that proposal. But the real facts of the case were these: It came under the consideration of the Government that the geological department was a department for which large sums of money had been voted annually for some time past, and

that in connection with that department there was an entire absence of any educational element. The Government communicated with the head of the department, to the effect that they considered that in future there should be something of the educational element allied to the department, without involving the Colony in any further cost. They also considered that a large amount of information and assistance had been afforded, from time to time, by the department to private individuals who chose to seek that assistance, and that the time had come when it must be recognized that the institution cost the Colony a great deal of money; that if the information afforded by it was worth seeking by private individuals it should be paid for; and that, therefore, there should be some revenue arising from the department. The Government were willing that that revenue should be devoted to educational purposes, and that was the extent to which they were prepared to go in the matter. The Government were not willing that services paid for by the Colony should be rendered gratuitously to private individuals or companies requiring analyses or assays. Of course, he was not speaking of the New Zealand Institute, which was independent, to some extent, of the geological department. The Government believed that the department should be made self-supporting; they desired to see it thrown open, as much as possible, to the whole Colony, so that those in different parts of the country, who might desire to obtain educational assistance from the department, should be able to do so. The suggestion of the Government was received in a most cordial and hearty manner by the director of the department, Dr. Hector, and he (Mr. Vogel) thought he might say that that gentleman understood that the Government were not prepared to recommend the Assembly to incur any extra cost; that they only desired to see something of a revenue arising from the department in future; and that they did not desire to use that revenue for ordinary purposes, but to see it expended in such a manner as would add to the value of the department. He should be very sorry to undervalue the department, and the great ability and indefatigable exertions of Dr. Hector, who had succeeded in placing it in a most favourable position. He believed Dr. Hector had submitted the communication he had received from the Government to the governors of the New Zealand Institute, that the suggestions of the Government had been received in a cordial manner by the institute, and he trusted he should be able to announce next year that something definite in the shape of an educational element had been allied to the department, without putting the country to any further expense. That was widely different from the idea that the Government were to undertake the establishment of schools of mines—a question which, as he said before, the Government had not taken into consideration. He believed that something like an approach to such a department had been established on the Thames gold fields, but it was established upon the least understanding that no information was to be

afforded without being paid for. It struck him that to make a school of mines really valuable, it should have something of a self-supporting nature in it. Whilst he was willing to say the Government would take the subject into consideration during the recess, he would suggest to the honorable member that a great deal more consideration might be given to it by those who desired to see such an institution established, with a view to obtaining for it a constitution which would be more or less of a self-supporting nature. He trusted that the honorable member would recognize, from the answer now given, that the Government most heartily approved of the object sought to be obtained by the petitioners. In fact, he thought he might claim for himself the credit of being one of those who for a long time advocated the establishment of schools of mines in the country. He believed that schools of mines, which would convert ordinary intelligent miners, receiving wages of about £2 a week, into mining managers, who could readily command from £7 to £10 a week, were establishments which ought to be encouraged. Those institutions were eminently useful, if carried out in a practical manner; and he hoped he should not be understood to have anything but a sincere sympathy with those who desired to see such institutions established.

Mr. MACANDREW said provision had already been made for the establishment of a school of mines and agricultural chemistry in Dunedin, in connection with the university, and that school would be open, not only to the Middle Island, but to the whole of New Zealand.

Mr. LUDLAM was sorry the Government had not laid upon the table the report from the governors of the institute in Wellington, because it contained the whole of the information, and would show the honorable member who asked the question the exact position of the institute. What had fallen from the Colonial Treasurer was perfectly true. The Government had written a letter to Dr. Hector, stating that they thought the institute should assume more of an educational character than it did at present. That letter was submitted to the governors, and they agreed with the Government that such a step was desirable, but that it was not advisable to do so without first providing for the erection of a lecture-room, as there was no accommodation in the institute for the holding of courses of lectures, nor were there any of the instruments which would be required. If the report had been laid on the table, honorable members could have seen that Dr. Hector stated that he could afford himself, for a time, to initiate and carry on certain instruction, and it would be seen that the governors themselves had submitted to the Government a schedule of what they considered would be necessary. If the report had been laid on the table they could have gone fully into the question and decided what was necessary to be done.

Mr. VOGEL thought the honorable member was under a misunderstanding. The communications of the Government had been with the head of the geological department, who was altogether independent of the institute. He had

no idea of providing a lecture-room. That was not the kind of education which should be commenced. When Dr. Hector first came into New Zealand, he educated his assistant, Mr. Skey, who had become a very proficient chemist, and a man whose services would be considered valuable in any part of the world. The department was quite large enough for six or a dozen pupils, not simply to attend lectures but to obtain a practical insight into, and knowledge of, such information as the department might be supposed to convey. That would be a question altogether independent of the institute. He was one of those who first attended the metallurgical course of studies at the Geological School of Mines, Jermyn Street. The attendance, at first, was very small indeed, not more than three or four pupils being taken at a time. That institution had now become very much extended, and pupils, he was told, who desired to go through a practical course of study, had to put down their names twelve months in advance before they could be accepted. The department here, without subjecting the country to any extra expense, was sufficiently large to take a few pupils and educate them. That was the kind of educational element which the Government desired to see added to the department, and they considered any little cost which might be necessitated would be more than covered by the funds which would be derived from private individuals to whom information was afforded. He put that very clearly, so that the House might not suppose that the Government intended to commit the Colony to any additional expense in connection with the department.

Mr. LUDLAM said that the papers laid upon the table of the House did not give all the information respecting the proceedings of the governors of the institution. They had fully considered the necessity for increased accommodation, and had submitted their views to the Government.

OTAGO DOCK BOARD ORDINANCE.

Mr. MACANDREW, in asking the Colonial Treasurer, "Whether or not the Government is prepared to consolidate the bonds issued under the authority of 'The Otago Dock Board Ordinance, 1865?' " said that, in 1865, the Otago Provincial Council passed an Ordinance to enable the construction of a dock at Port Chalmers, and that Ordinance gave power to borrow £50,000. Owing to the negotiations for the construction of the dock not having been completed at the time the Consolidated Loan Act was passed in 1867, the liability was not included in the schedule of that Act, in point of fact it was then a contingent liability. Subsequently, £50,000 was borrowed under the Ordinance at 8 per cent., which the Province was now paying. The Ordinance provided that the payment of principal and interest should be a charge, not only upon the dock itself, but also upon the whole revenue of the Province. His reason for asking the question was, that if the loan were consolidated it would be a saving to Otago of upwards of £1,000 annually, without involving the Colony in any more risk than at

present. Undoubtedly, the dock loan was as much a colonial liability as any of the other provincial loans included in the Act of 1867. He could not conceive that there could be any possible objection to relieve the Province of at least £1,000 a year, which would be the effect of consolidating the loan. He might mention that there would be no difficulty in acquiring the bonds at a moderate premium, so as to effect the very considerable saving to the Province which he desired to accomplish. He might add, further, that he did not anticipate that either the Province or the Colony would be called upon to pay anything towards the interest of these bonds, inasmuch as the dock dues were amply sufficient to cover the interest and working expenses.

Mr. VOGEL said that "The Otago Dock Board Ordinance, 1865," was one of those measures which authorized the Province to be made liable for money borrowed for the purposes of the Ordinance, that was, for the construction of a dock, and which were not in conflict with the provisions of the Act withholding from Provinces liberty to borrow. The Ordinance was in existence at the time of the passing of the Consolidated Loan Act, but had not been acted upon; consequently, it was not included in the schedule to the Consolidated Loan Act. He had had the honor of being Provincial Treasurer of Otago. There was a strong desire to see the Otago dock proceeded with; and the Provincial Government thought it was better to proceed with the work, though they had to pay 8 per cent. interest upon the loan. After negotiations, extending over a considerable period, the money was obtained at 8 per cent., by means of issuing mortgage bonds—not exactly debentures, but something similar. The loan was negotiated through the Bank of New Zealand, the bonds having ten years to run. He could only speak from recollection, but he believed that there was an assurance given to the Bank at the time that, when any further consolidation of provincial loans was effected, the Provincial Government would endeavour to have included in it the loan raised under the Otago Dock Board Ordinance. He did not know whether that promise was definite and distinct.

Mr. MACANDREW.—It was definite.

Mr. VOGEL said that the honorable member for Clutha had told him, a few days previously, that he (Mr. Vogel) had made the promise. He had pointed out to the honorable member, that any promise he might have made at that time was made in his capacity as Provincial Treasurer. He could not have come under any obligation as Colonial Treasurer, for he did not then fill that office. It was the provincial authorities who had taken steps in the matter, and he had pointed out that the effect of consolidating this loan and making the Colony liable, would be to raise the value of securities to £10 or £12 premium. There were eight years to run at 8 per cent., and the natural effect would be to raise their value very materially. He had suggested to the honorable member for Clutha that the better course to pursue would be to buy the securities back again, and to ask any assistance

he might require from the House or the Government. The honorable member wrote him a letter shortly afterwards, saying that the debentures had been offered to him at 5 per cent. premium—that was, £105 for £100—and asking the Government to make arrangements to borrow a sum of money for the purpose of buying up the bonds. The transaction would amount to this:—On the £50,000 mortgage bonds or debentures, £2,500 premium would have to be paid. The rate at which that money could be borrowed was $5\frac{1}{2}$ per cent., and the yearly charge would be about £2,800 for this £52,500, which would leave a saving to the Province of about £1,200 a year. The Government did not think that the Province of Otago should be subjected to the unnecessary payment of £1,200 a year. They accordingly had the subject under consideration, and were disposed to place the amount upon the schedule for provincial purposes, and to include in the provincial loan this £52,500 for the purpose of buying back those 8 per cent. debentures at the price at which they had been offered to the honorable member for Clutha. Of course, it would be for the House to consider whether this operation was desirable. It would be a saving of £1,200 yearly to the Province, and the Government thought it would be desirable to effect such a saving. The object for which the money was raised, it should be remembered, was in a great measure a colonial object, as the Colony was very much in want of dock accommodation. The last advices received from the Admiralty stated that it was contemplated to establish a station in New Zealand, and pointed out the want of dock accommodation. They were, doubtless, not aware that sufficient dock accommodation would shortly be obtainable at Port Chalmers. The dock would be of great advantage to the Colony if that port were made the terminus of the ocean mail steamers. He would state, in reply to the query of the honorable member, that the Government were not prepared, without more information, to ask the House to accept the liability as a colonial one—that was, to consolidate it in the same manner as the provincial securities under the Consolidated Loan Act of 1869; but that they hoped to raise a sum sufficient to buy back the debentures at the rate at which they had been offered to the honorable member.

PRINTING DESPATCHES.

On the motion of Mr. FOX, it was ordered, That the despatches between the Governor and the Secretary of State, which were printed in the blue-book laid on the table of the House, should be printed.

SAVINGS BANKS BILL.

Mr. VOGEL moved for leave to introduce "The Savings Bank Act, 1870," which was to give effect to the recommendation of the Select Committee appointed by the House.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

STAMP DUTIES BILL.

Mr. VOGEL moved for leave to bring in a Bill

to amend the Stamp Act, the object of which was to allow the use of adhesive as well as impressed stamps in certain cases.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

AGRICULTURAL PRODUCE LIEN BILL.

Mr. VOGEL moved for leave to introduce the Agricultural Produce Lien Bill. He stated that the object of the Bill was to enable persons to give a preferential lien upon agricultural produce. The Bill had been introduced at the suggestion of the honorable member for Lyttelton, and, as far as possible, flax was included.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

MERCHANT SHIPS OFFICERS EXAMINATION BILL.

Mr. VOGEL moved for leave to introduce this Bill, the object of which was that certificates granted under the Act should be on a par with those granted at home. The regulations made under the Bill would have to be reserved for the approval of the Board of Trade.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

WAIROA LANDS BILL.

Mr. McLEAN moved for leave to introduce a Bill intitled "An Act to give effect to a certain agreement entered into for the disposal of part of certain lands taken under the New Zealand Settlements Acts known as the Wairoa block."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Tuesday.

QUALIFICATION OF ELECTORS BILL.

Mr. FOX, in moving for leave to introduce a Bill intitled "An Act to declare and amend the law relating to the qualification of electors and members of the House of Representatives," said he believed the title of this Bill had caused some little flutter amongst honorable members, several of whom thought it contemplated making a great change in the qualification of the electors of New Zealand. It was, however, one of a purely technical character. The Qualification of Electors Act was passed on 19th August, 1858. It was of a technical character, and interpreted the Constitution Act in reference to the conduct of elections. It was limited until the end of the next session, and no one had discovered, until within a few days previously, that it had actually lapsed for eleven years. It was now proposed that it should be re-enacted with some little alterations. The first object of the Bill was to explain the position of those claiming to vote in the capacity of trustees. Under the Constitution Act, trustees had a right to vote either in the place of, or in addition to, their trusts, so that two persons might vote for the same property. In the Act of 1858 it was enacted that no person but the person entitled

to the property should vote in right of it. Also, that a mortgagee, before foreclosure, was apparently qualified. In fact, the object was to make it clear that no trustee, or mortgagee, before foreclosure, had a right to vote in respect of any property in which, in these capacities, they were interested. That was fixed by clause 2 of this Act. There was a clause as to the mode in which votes should be received, and also clauses in reference to miners' rights, to prevent miners voting under more than one miner's right, or in more than one district.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

GREY VALLEY AND TEREMAKAU.

ADJOURNED DEBATE.

Mr. BARFF said he did not think it was necessary for him to make any remarks in continuation of what he had stated previously in reference to what he considered the irregular proceedings of the Committee appointed to consider the petition. In such a matter he believed it was only fair that both sides of the question should be heard. He believed that, as the report was brought up, it was useless for him to go on with the discussion. He might mention that the Committee had been sitting for twenty days before he had any intimation of the fact. He entirely disagreed with the report which had been brought up.

Mr. RICHMOND said, in reply to the honorable member's statement in reference to the Committee sitting for twenty days, he would observe that the Committee had had but two sittings, and the honorable member was present at one of those.

Mr. BARFF, in reply, said that if there had been only two sittings of the Committee it did not speak much for the value of the report.

Motion negatived.

WAIROA MILITARY SETTLERS.

Mr. ORMOND moved, That, in the opinion of this House, the necessary steps should be taken to give effect to the report of the Petitions Committee on the petition of the Wairoa military settlers. The case of the Wairoa military settlers was well known to the Defence Minister. The Petitions Committee had reported that those settlers were in a position which entitled them to the same consideration as the Patea settlers on the West Coast, and his object in moving his motion was to give effect to the report of that Committee. The petitioners numbered about thirty or forty men, and had suffered quite as much as any settlers in the country. The settlement they had occupied was an important military position for the defence of the country, and he hoped they would receive such assistance as would enable them to go back and take up that position from which they had been driven through no act of their own.

The SPEAKER asked if the carrying out of the motion would have the effect of adding to the pecuniary burden of the Colony.

Mr. ORMOND said if the House assented to

the motion it would involve a money payment in the shape of a loan.

The SPEAKER said the motion should be considered in Committee of the whole House.

On the motion of Mr. ORMOND, the House went into Committee to consider the motion.

IN COMMITTEE.

Mr. FOX wished to know to what extent the report of the Petitions Committee, if carried out, would involve an advance of a loan to the Wairoa military settlers. It would be remembered that, in the case of the Patea settlers, the House sanctioned an advance of £10,000 to be given to those who had been driven out of their own district, for the purpose of enabling them to return to it, being a loan upon security to be given over the land which they held in the district, and which loan they were to repay. A very considerable difficulty had arisen with regard to the carrying out of the views of the House in that case. Almost immediately after the termination of the last session, the Government took steps to ascertain what claims there might be, with the view of having the fund distributed. The resident magistrate was directed to receive applications and finally to adjudicate upon them, and applications had been received which absorbed the £10,000. That was all done two or three months after the session was over, and he (Mr. Fox) was in hopes that there would be no more trouble. There were mortgage forms prepared, so as to enable each claimant to receive the money awarded to him in the way of loan, and he (Mr. Fox) had given instructions to have the requisite securities taken for the repayment of the money. He had been absent in the North and South for several weeks, and on his return he found, to his great dissatisfaction, that not one shilling of the loan had been paid. There were numerous complaints and expressions of dissatisfaction that the parties entitled to receive the money had not got it. He communicated with the Attorney-General, and was unable to ascertain that there had been the smallest unnecessary delay on the part of the Government or any official in this matter. The House had expressly declared that the money was not to be granted as compensation, but as a loan upon the security of the land held by the parties to whom the money was given, and that a valid mortgage should be taken over those properties. The parties were told to send in their titles, in order that the Attorney-General might ascertain whether they had valid security to give for the money. Not more than one-third of them could give such a title as would be marketable in any market in the world; and if the Government had granted the money on the security of such titles, it would have been absolutely giving the money away. The parties were called upon to perfect their title, and of the whole number about one-third did ultimately perfect their title, and had received their share of the money, leaving two-thirds of those whom the House intended should have the benefit of the £10,000 without it. Some of them had gone back to their land, but

they would not, or could not, perfect their titles, and the Government could not, consistently with the resolution passed by the House, advance the money until they had done so. The honorable member for Omata, when passing through the district, received complaints on the subject, and he made them known to the Government. He had communications with the honorable member, had shown him the documents which had passed through the Attorney-General's office, and had satisfied him that it was not owing to any negligence on the part of the Government or any of its officers that the money had not been paid to those settlers. He asked the honorable member what means could be taken to get the matter out of the awkward position in which it was placed, and the honorable member made some suggestions which did not, however, appear to him to be of such a character as would facilitate the settlement of the question. The honorable member had recommended that a person should be sent to the district and have the matter cleared up on the spot. All those who made their titles clear had received the money, and the other parties had been communicated with but had not done anything. He felt placed in a difficulty, as the Government could not pay the money without the sanction of the House, and he was glad of having had an opportunity of making that statement of the matter. He would lay on the table the memoranda which had passed between the honorable member for Omata and himself, for the information of honorable members, who would see that the Government had made every exertion in its power to bring the matter to a satisfactory conclusion. He was very much disappointed that the result had not been better up to this time, but the Government were not in any way to blame in the matter. He would earnestly recommend the honorable member to see that the resolution he now made was not fraught with such conditions as would render the intentions of the House inoperative.

Mr. ORMOND was unable to state to the House whether the Wairoa military settlers were in a position to give proper titles as security for any loan advanced to them. They had petitioned the House for such assistance as had been given to the Patea settlers, and pointed out other ways in which they might be assisted. He knew that they were almost in a state of destitution. They could not return to their settlement, as they had no means to build houses or provide for themselves unless they received some assistance. It might be that many of them, if they could, might have raised money by mortgaging their properties, but he did not think they could do so, as, being military settlers, they were required to reside a certain time on the land before they were entitled to a Crown grant. Those people had remained in the Wairoa district, where there was very little money spent, and no means of their obtaining more work than would obtain a scanty livelihood, and they were now awaiting a reply to their petition to the House to know whether they would be assisted in returning to their settlement. If unable to do so, they would be obliged to distribute themselves in other parts of the

country where they could obtain a livelihood. If the House would affirm the resolution, he would then leave it to the Government to consider what terms they were prepared to recommend to the House to carry out the object he had in view. With that understanding, he would not go further in the matter.

Mr. McLEAN said there were a class of military settlers in the North Island who were very deserving of the consideration of the House, and of that number were the Wairoa military settlers. Those men had fought during the East Coast campaign, and looked forward to having homes at Wairoa, where the land had been surveyed and laid out for them. In the meantime, war broke out in that part of the country, and they were all driven from their places. Many of them were very industrious, and were, in reality, permanent settlers. They were a class of men very much wanted at outposts for the defence of the rest of the country; those occupied a position between Waikare-Moana and the Wairoa settlement. It would be important to have such men settled there to defend the country, and some inducement should be held out to them. At Opotiki there were a similar class of settlers, who had been subjected to a great deal of inconvenience, and who had been driven from their homes at different times by the inroads of the enemy and were now in a state of destitution for want of employment. The floods had destroyed the most of their crops, and the retrenchment necessary on the part of the Government had deprived them of that military service for which they had been paid in past years. They were now in the same position as the Wairoa settlers. They were not numerous, and he thought they were fairly entitled to such consideration on the part of the House as would enable them to get such employment as would provide them with the means of settling on their farms. The Government would take the matter into consideration with the view of bringing something definite before the House.

Mr. ORMOND moved, That a respectful address be presented to His Excellency the Governor, praying him to recommend to the House to make such provision as it may deem suitable to meet the case of the Wairoa military settlers.

Mr. KELLY said there had been a great deal of dissatisfaction among the Patea settlers at not receiving the money voted last session. He had made inquiries of the Government as to the reason why the money had not been paid, because it seemed to him that a long time had elapsed after the money had been voted, and that possibly there was some neglect on the part of the Government. When he came to Wellington he conferred with the Premier, and found that the titles of the majority of the claimants were in a very defective state. He did not think any fault was to be found with the Government in the matter. The majority of the applicants had bought their land from military settlers, and the titles were conveyed in a very loose way; but he thought the Government might have taken some steps in this matter, so that the settlers might know whether they had a perfectly clear title. The

people settled on the land were more qualified to subdue the wilderness than to investigate their titles. If the Government would appoint some person to assist the settlers in investigating their titles, the matter under consideration might soon be settled. The titles of most of the small holdings throughout were in a defective state and would not be found marketable. He thought the majority of the settlers who made application were fairly entitled to the advance of the money voted by the House.

Mr. RICHMOND wished to say, from his own observation, that the settlers of Tauranga, Opotiki, and Wairoa were not so likely a class of men to form permanent settlements as the Patea settlers. He doubted whether the present settlers would be able to plant themselves in those places, because most of them had been long continuously receiving pay. There had been less settlement in Wairoa and Opotiki than in Patea. It would, indeed, be of the greatest importance if the Government could employ those people to a considerable extent in useful work in the district. Having now got possession of all that wild country, they should render it as accessible as possible in the future, so that there might be no difficulty in future in the movements of our forces. He thought a good deal could be done in that direction. He really believed a good service to the Colony would be done in employing those settlers in making roads and thoroughly opening that country. It would be doing the best practicable service to many of those men who probably would be prevented, as those at Patea had been, by their property not having a clear title. He agreed with the honorable member for New Plymouth Town, that a very large number of small proprietors had their property in a state of dreadful confusion as to title, and it would be of immense advantage to the country when the Land Transfer Act came into operation.

Mr. MCLEAN said the Government had under consideration the opening up of the country to the Waikare-Moana district, so that it should not be hereafter looked upon as inaccessible. It would be desirable to do so from the Bay of Plenty as well as from the opposite coast. With respect to the class of persons settled at Opotiki, although engaged chiefly in military service they were now very much reduced in number. A great deal more had been done at Opotiki than was generally supposed; 300 or 400 acres of land were under cultivation, and some of the crops looked very well. He did not suppose that, as a rule, the titles of the military settlers were so clear as to induce money to be advanced upon them. He quite agreed that the best means of meeting the difficulty which had arisen would be to afford the settlers employment in the vicinity.

The resolution was agreed to, reported to the House, and ordered to be considered on Wednesday.

REPRINT OF STATUTES.

Mr. RICHMOND, in moving the motion standing in his name, said he had put the resolution—

which he thought most honorable members who had occasion to consult the Statutes would say was a justifiable one—not in the form of an absolute command to the Government, but merely as an expression of opinion, on the part of the House, that such a thing was desirable, because he was aware that there might be great difficulty, on account of the accumulation of work at the printing office, in getting the Statutes reprinted at present. He thought it would be desirable to have not only a reprint of the colonial Statutes, but also a reprint of the various Acts of the Imperial Parliament relating to the Colony which had been passed since the Constitution Act was brought into force. They were in the habit of adopting Imperial Statutes from time to time, but except in two or three of the large towns they were not to be seen at all. He believed there were three copies of the Statutes at large in Wellington, but he did not believe there was any other town in the Colony where so many copies were to be had. They also imported incidentally into their legislation a large amount of English law—he would instance the Railway Clauses Act imported this session—which he thought it would be advisable to reprint with their Statutes. Probably, a historical summary of the laws passed in the early days of the Colony might be added as a preface. He had learned for the first time to-day, though perhaps the fact was well known to the honorable gentleman at the head of the Government, that for a considerable time there existed in this Colony a total misconception as to the relation in which the Colony stood with regard to the English law. Until 1858 they were under the impression that the English Statutes were in force in this Colony, whereas in reality the New South Wales laws were in force here. When this was discovered, in 1858, it became necessary to pass an Act on the subject. Information on this point should be contained in the preface. He believed there was a reprint of the Victorian Statutes, in a small form, which might serve as a very good model for them. But it would be desirable, before the volume relating to the earlier part of our legislation was reprinted, that the Provincial Governments in several of the Provinces should be advised to repeal, as regarded those Provinces, portions of the old legislation—he referred to the Ordinances of New Munster. It would appear that in several of the Provinces, although legislation had been going on on similar subjects, those old laws had been left unrepealed. To avoid confusion, it was desirable that those old obsolete laws should be swept away. The whole were set forth in the *New Zealand Justice of the Peace*: and he thought that the Government might do good service in getting those matters put on a uniform basis in all the Provinces. He had been asked by many persons to bring forward this matter, and he hoped the honorable member at the head of the Government would not object to the motion, but would accept it as a gentle reminder that such a course was desirable.

Motion made, and question proposed, "That a reprint of the Statutes prior to the year 1861 is

urgently required. That such reprint should be in royal octavo, and should distinguish repealed and amended provisions by italics or otherwise.”—(*Mr. Richmond.*)

Mr. FOX had not the least objection to the motion of the honorable member, but he expressed some doubt as to whether the Government would be in a position to carry it out immediately. The Government, however, would take immediate steps to see how far it could be done with the means at their disposal during the recess. He hoped, as he had stated at an earlier part of the session, that the Government might be able, at some future time, to see their way to a codification of the laws of the Colony, but at present he did not see his way to do that. Probably it might be some years before they would be able to do it. In the meantime, any facilities which the Government could give, to assist the magistrates and others who were engaged in administering the law, they would give to the extent of the means at their disposal. When the time came for carrying out the codification of the laws, they would be able to get rid of a large part of the superfluous legislation with which the Statutes were at present incumbered, through Bills having been passed hastily by the Legislature, and others which the country did not now require. The honorable member might depend upon his not losing sight of the subject, and that he would do all he could to forward the object which the honorable member had in view.

Mr. CARLETON would suggest to the Government the advisability of having compiled an alphabetical list of the Statutes which had been passed, with an addition to each stating whether it had been repealed; or, if in part repealed, how much of it had been repealed. Those who had occasion to look through the Statutes had now to look through some sixteen or seventeen volumes, corresponding to as many sessions, besides the provincial Statutes. One had to trust entirely to his own memory as to the absolute existence of a Statute. In looking for the law on any subject, if a magistrate of the bench recollected that there was a Statute on that subject, he might be able, after a good deal of research, to find it; but he ought not to be left in the position of having to trust to memory only. Even those who, like himself, had taken a part in making those laws, might easily overlook a Statute. An alphabetical index of the various Statutes would be of great assistance to the magistrates in cases of doubt or uncertainty. He had brought the matter under the notice of the honorable member at the head of the Government, and he took that opportunity of reminding him of it.

Motion agreed to.

GOLD FIELDS OF WESTLAND AND AUCKLAND.

Mr. W. H. HARRISON, in moving the resolution standing in his name, said he would like to draw the attention of the Government to the slovenly manner in which a resolution passed by this House last year had been complied with. Although New Zealand had been a gold-producing

Colony for the last eight or ten years, the blue books did not contain a single document relating to the gold fields. A resolution which he had moved was passed by the House last year, to the effect that reports should be compiled with regard to the various gold fields of the Colony, and that copies of such reports should be forwarded to the Home Government. The only returns which had been sent in were returns from the Province of Auckland and the County of Westland. Some sort of a report had been furnished by Nelson, and there was also a pamphlet written by Dr. Hochstetter. He thought it was desirable that those two reports which had been laid on the table from the County of Westland and the Province of Auckland should be printed. He did not know who drew up the report from the Province of Auckland, but it was one of the best he had ever seen, and gave, in a small compass, a very large amount of information. The report from the County of Westland was not so complete. He would move that the reports on the gold fields of Westland and Auckland be printed; the other report, that from Nelson, was not in a state to be printed. He would also take the opportunity of saying that not a single line had been furnished respecting the gold fields in the Province of Otago.

Motion made, and question proposed, “That the reports of the gold fields of Westland and Auckland, laid upon the table, be printed.”—(*Mr. W. H. Harrison.*)

Mr. MACANDREW was not paying any attention to what the honorable member was saying until he heard Otago referred to; but with regard to his last observation, he (*Mr. Macandrew*) begged to inform the House that there was a periodical report published in the newspapers in Otago, from each of the five wardens of the gold fields—a very elaborate and voluminous report, which was in the possession of the authorities here. He could only say, if these reports were to be printed in conjunction with the others which the honorable member had moved for, it would take a pretty large volume to contain them. He had been telegraphing for the last month about the report which the honorable member said was wanted. It had been promised, but as it was a laborious task to write out all the reports which had been received during the last twelve months from each of the five wardens in the Province, he presumed they had not found it possible to complete the task. He should be very glad to see the reports from the gold fields wardens in Otago included in this return. They had all been published in the *Otago Daily Times*, and the general summary which that paper sent home every month contained, to the best of his recollection, the whole of these reports.

Mr. BRADSHAW said that in a neighbouring colony there was laid upon the table of the Assembly, every year, a very elaborate volume of statistics with reference to the gold fields of that colony, showing the amount of gold which had been obtained, the rate of wages, and even the amount of firing required on the gold fields. The

information was forwarded to the Secretary of State, and also to every mechanics' institute in England and on the Continent, so that intending immigrants might have authentic information with reference to the gold fields of that country.

Mr. HALL asked if the Government had taken any steps to ascertain from the Provincial Government of Otago why the resolution of this House had not been complied with in the same manner as had been done by the Province of Auckland and the County of Westland. He hoped the Government would be able to give some explanation as to why that had not been done.

Mr. FOX was not prepared, on the spur of the moment, to answer the question of the honorable member, which had reference to a departmental matter, but he had no doubt a satisfactory answer could be obtained.

Mr. BROWN said that although the information asked for had not been furnished to the Government, it had been published in the Otago papers. He thought that if the Government attempted to obtain information of the kind referred to, they ought to do it in a complete manner, and not in part. His honorable friend the member for Clutha, last night, was led into a grave error through that information not having been supplied—an error the effect of which would remain with him as long as his name was remembered.

Mr. McINDOE did not clearly understand what kind of report was wanted. A statistical report could very easily be furnished, showing the number of the population, and the monthly yield on each of the gold fields of the Province; but if a pamphlet such as that which had been supplied from Nelson were required from Otago, they would require a literary man to compile it. He was quite sure of this, that the reports from the wardens of the gold fields in Otago would be found as complete as any that had been furnished from other Provinces.

Mr. HAUGHTON thought that the honorable member for Westland would do well to withdraw his motion, because, in the present state of the printing office, the returns could not possibly be printed in time to be laid upon the table this session. He did not think it would answer any good purpose to have the returns for Auckland and Westland printed by themselves. He had no doubt that the object of the honorable member would be gained by having had a notice on the paper, with his name attached to it, relating to the part of the country which the honorable member represented.

Mr. W. H. HARRISON, in reply, said he was very much surprised at the manner in which this subject had been treated by the House. No one would be more ready than the Colonial Treasurer to admit what a serious drawback to New Zealand the absence of reliable information had been as to its exact position as a gold-producing Colony. It was only lately that the gold, the produce of New Zealand, had been distinguished, in the returns published at home, from the gold produced in Australia. He believed that had been done at the instance of the New Zealand

Commissioners. It was important that the Colony should recognize the importance of its gold fields. He had been informed, by a gentleman who had recently come from England, that the gold fields of New Zealand were little known there. How different was the case of British Columbia, which was brought into notoriety at once through the despatches of Governor Douglas, who paid great attention to its gold fields. He hoped that in future the Government would not trust to so slender a reed as the good intentions of Provincial Government. He knew that the reason of the failure to obtain that information was this—the General Government sent a circular to the Provincial Governments, requesting certain information; two of the Provinces had complied with the request, and all the other parts of the Colony had neglected to do so.

Motion agreed to.

CASE OF J. LUNDON AND F. A. WHITAKER.

Mr. BRADSHAW, in moving the motion standing in his name, said that he had recently presented a petition from Messrs. Lundon and Whitaker to this House. That petition had been printed and circulated, and no doubt had been read by honorable members. It would also be in the recollection of honorable members that last year a certain declaration was circulated, in which it was alleged that Mr. Whitaker had obtained certain information which he used to his own advantage. That declaration was circulated through the House, but in the petition it was distinctly stated:—

"That, at the hearing of these cases by the Native Lands Court, it was clearly established that the evidence given by Mr. De Hirsch, before the Committee of the General Assembly, and the solemn declaration and affidavit made by him, were false in the most important particulars.

"That, at the hearing of the said cases, it was also clearly proved that the statements made by Mr. De Hirsch before the Committee on Public Petitions, in his affidavit and declaration in reference to Mr. Whitaker, senior, were without the slightest foundation in fact.

"Also, that the statement made by Mr. De Hirsch that your petitioner, Frederick Alexander Whitaker, in his professional capacity, prepared a deed for him, and afterwards disputed its validity, and claimed the land included in it, was entirely devoid of truth; and, moreover, that an affidavit containing this statement was promulgated by Mr. De Hirsch with the full knowledge that it was false.

"That Mr. De Hirsch, before the Native Lands Court, excused his conduct in this respect by denying that he made the solemn declaration containing the false statements, and accusing Mr. O'Keeffe of concocting, getting printed, and distributing a fictitious declaration with his (Mr. De Hirsch's) name attached, but without his knowledge or consent; whereas it now appears from the original declaration, of which your petitioners have been placed in possession, that Mr. De Hirsch made the declaration in the form in which

it was promulgated by Mr. O'Keeffe, containing statements which he (Mr. De Hirsch) knew to be untrue, and which in his evidence before the Lands Court he has sworn to be untrue, and that he never made them.

"That the statement sworn to by Mr. De Hirsch during the proceedings before the General Assembly, that your petitioner, Frederick Alexander Whitaker, acted as his solicitor in preparing a lease of certain lands, and afterwards, with others, took up the very same land under miner's right, has been proved to be destitute of a particle of truth.

"That your petitioners are in a position conclusively to substantiate the foregoing statements, as the whole of the proceedings before the Native Lands Court were fully reported by a shorthand writer, who can testify on oath to the accuracy of the report."

He would not go into the case any further with respect to that false document, which he knew to have been circulated in the House, and which he also knew, from his own knowledge, to have been false, from information which he had obtained from Mr. De Hirsch himself.

Motion made, and question proposed, "That the petition of John London and Frederick Alexander Whitaker be referred to a Select Committee, to inquire into and report on the allegations contained therein. The Committee to consist of Mr. Hall, Mr. Richmond, Mr. Vogel, Mr. Kynnersley, Mr. Williamson, Mr. Bunney, Mr. Wood, Mr. Ormond, Mr. Creighton, and the Mover; with power to call for persons and papers. Three to form a quorum. To report in a week."
—(Mr. Bradshaw.)

Mr. CARLETON said the motion of the honorable member was in the nature of an appeal from the report of the Petitions Committee, and was virtually an appeal from the decision of the Native Lands Court. In point of fact it was an appeal from five Committees; three of the House last session; one of the Legislative Council; and one of the House this session; the reports of all being substantially alike. He was not about to object to a Committee being appointed, although he confessed he saw much inconvenience in the appointment of one Committee to report on the proceedings of another; in fact, if this Committee were appointed, he did not see why, when it reported, a third Committee should not be appointed, with a careful choice of members, to report upon the proceedings of this Committee. However, it was necessary that, in a motion for a Committee in the nature of an appeal from another Committee, the Committee, if agreed to by the House, should be most carefully constituted; for nothing could be more damaging to the House than a conflict of Committee reports. It was a case which affected the Thames gold fields generally, and the decision was of extraordinary importance to the various interests connected with the gold field. He did not mean to say the decision of the Committee, but the decision of the tribunal which was appointed by the House to try the case. Now, the motion being in the nature of an appeal from another Committee of the House, it was necessary

that no member should be appointed to it who was either directly or indirectly connected with the Thames gold fields, either by the possession of shares or otherwise. He would be quite content to accept the assurance of the honorable the mover that no gentleman whose name he had set down on the Committee was in any way connected with those gold fields, or had any interest, either direct or indirect, therein. If any of them were so interested, he should, probably, consider it his duty to move that other names be substituted.

Mr. BRADSHAW said he was not aware that any member of the proposed Committee had any share in any of the ground which was affected by the decision of the Native Lands Court.

Mr. CARLETON had taken a much broader ground than that. He had stated that all interests upon the Thames gold fields were affected very much indeed by the decision of the Court in the matter, and the restriction which the honorable member had introduced was far from being satisfactory to him. The honorable member had, in the course of his speech, alluded to certain evidence given by Mr. De Hirsch. He (Mr. Carleton) had looked into that evidence somewhat carefully, and his opinion was that it was not absolutely correct, that it was, in truth, calculated to create a false impression, but he did not think the incorrectness, on the only material point, went much further than that. But, at all events, if the statement which the honorable member had read were correct, Mr. De Hirsch ought to have been prosecuted for perjury.

Mr. BRADSHAW.—So he was.

Mr. HALL.—For libel.

Mr. CARLETON was assured by Mr. London, one of the petitioners, that it was intended to prosecute Mr. De Hirsch for perjury. Then why was he not prosecuted?

Mr. HALL.—He bolted.

Mr. CARLETON.—He went away, but it was certain that there was abundance of time before he left to have taken measures for prosecuting him. He scarcely thought, seeing that the prosecution for perjury had not been instituted, that the House was the place to come to in regard to evidence taken before a court of law. He took occasion to repeat what he had said several times in the House, that the Committee appointed to sit upon clause 8 of the Native Lands Act last year did not come to their decision upon the *ex parte* statements of the petitioners, but upon the original *bona fides* of the whole case, and upon facts admitted by all parties. However, he did not wish to take up the time of the House upon a matter upon which he had expressed his opinion at length in a previous session.

Mr. WILLIAMSON said there were very grave allegations in the petition, which he thought entitled it to more consideration than had been given to it by the Public Petitions Committee. It appeared to him that that Committee had only looked at the prayer of the petition simply, which was for compensation for losses sustained in consequence of the action taken by that House upon certain statements made before a Committee

of last year by Mr. De Hirsch. He would read to the House one or two clauses in the petition:—

"That at the hearing of the said case it was also clearly proved that the statements made by Mr. De Hirsch before the Committee on Public Petitions, in his affidavit and declaration in reference to Mr. Whitaker, senior, were without the slightest foundation in fact.

"Also, that the statement made by Mr. De Hirsch that your petitioner, Frederick Alexander Whitaker, in his professional capacity, prepared a deed for him, and afterwards disputed its validity, and claimed the land included in it, was entirely devoid of truth; and, moreover, that an affidavit containing this statement was promulgated by Mr. De Hirsch with the full knowledge that it was false."

Now the honorable member for the Bay of Islands had stated that it was the duty of the petitioner to have instituted an action for perjury against Mr. De Hirsch. That would have been done, to his knowledge, if it had not been for the fact that the affidavit made by Mr. De Hirsch was made in Wellington, and that a case for perjury could not be tried in Auckland, owing to some difficulty which lawyers better understood than he (Mr. Williamson) did. But an action for libel was brought against Mr. De Hirsch, and the petitioner stated:—

"That your petitioner, Frederick Alexander Whitaker, commenced a prosecution against Mr. James De Hirsch for libel in connection with his statements as to these matters before the House and elsewhere, which Mr. De Hirsch evaded by leaving the country clandestinely."

They all knew that that was the truth, and that Mr. De Hirsch did go away suddenly, leaving behind him sundry unsettled claims, at the very time when the action for libel was pending against him. The Public Petitions Committee, presided over by the honorable member for Coleridge, was no doubt a very industrious Committee, and sometimes honorable members, as well as himself, wondered at the laudable industry which they displayed. Petitions were presented on one day, and on the next they found reports upon them brought up by the Chairman of that Committee. But there were cases, in his opinion, where the Petitions Committee, however industrious it might be, should take greater pains than merely to read the petition and decide upon it without taking evidence at all. He believed there were cases in which members of the House had presented petitions which had been decided upon by that Committee without evidence having been taken as to the allegations and statements contained in them. Now, in the present case he believed the petition was one day only before the Committee. Here were petitioners, against whom grave charges had been made last session by a person who, when an effort was made to bring his conduct before the courts of the country, evaded the inquiry and left the country, and yet their petition was very quietly sent back to the House by the Petitions Committee with a report to the effect that they could not recommend the prayer of the petition to the favourable consideration of the House. That was,

as he supposed, with respect to compensation only. He thought, looking at the gravity of the allegations which were contained in the petition, that some further trouble should be taken by the House in looking into the matter carefully; and if any objection were made to the members proposed to serve on the Committee, he was sure none of those members would serve. For his own part, he knew nothing of his name having been placed upon the proposed Committee until after the notice to move for the Committee had been given by his honorable friend. He had no interest in the matter, directly or indirectly; it was entirely a matter of indifference to him, except that he wished really to see if the allegations alluded to by the petitioners were the cause of the losses of which they complained. He thought the House should appoint the Committee, and let it take whatever course appeared to it to be right and proper in the matter. One of the petitioners was the son of an old and respected legislator in the country, who had held high positions in it: he himself was present last session, and the evidence which he gave, he thought, entirely convinced the Select Committee to which the matter was referred that the charges that were made against him were entirely unfounded. But Mr. Whitaker, senior, had no opportunity of appearing before the Committee, and yet he had very grave charges standing against him upon the declaration of a man who had left the Colony rather than go into Court and stand the consequence of the false accusations, which he (Mr. Williamson) believed he made.

Mr. FOX would support the motion for the Committee. He was one of those who, last session, protested for many hours, on more than one day, as well as his honorable colleague the member for Mataura, against the House legislating on a matter which was then pending before the Supreme Court. The honorable member for Heathcote joined them, though at that time he was sitting on the opposite side of the House. He thought it was a most foolish, wrong, and, if he might use the expression, unprincipled thing to do. Now there was no doubt the action taken by the House on that occasion was accelerated by the evidence which was given before the Select Committee by Mr. De Hirsch, who it now appeared has left the country from fear of having a charge of perjury brought against him. The result showed the House how right the honorable members were who protested against the course taken last session. Now, it was likely that they would have the inconvenience of having to reinvestigate the charges connected with the matter, and possibly the investigation might prove that the House had acted very foolishly. In reference to the course taken by the honorable member for the Gold Fields, his proposal was only one for further inquiry, which he was seldom prepared to object to. In this case he thought the parties had a right to come to the House and request that the charges which had been brought against their characters, and which had given direction to the legislation of the House, should

form the subject of inquiry. The honorable member who had moved the motion would not be able to press the matter to such a conclusion this session as he would wish, and as the friends of the petitioners would wish. The session was now far advanced, and as there were other persons connected with the matter besides the petitioners to be brought before the Committee, he apprehended that the session would close before the case could be thoroughly sifted and cleared up. It was, however, right that the honorable member had adopted his present course with a knowledge of that fact, because it could not now be said that the petitioners had neglected for one hour to press their claims before the House. If they were allowed to stand over, it might be said, "These charges were pending over you, and you allowed the session to pass away without making any sign." If the honorable member succeeded in obtaining the Committee, it might probably bring up an interim report, and in the next session the whole matter might be thoroughly sifted and cleared up to the satisfaction of the friends of the gentlemen whose characters had been impugned on such unsatisfactory evidence.

Mr. GILLIES would like to say one or two words with regard to the motion. It appeared to him that the House ought not to be made a tribunal for the purpose of clearing people's characters. If that were a case in which, by false statements, any injustice had been done, then he could quite understand why the parties to whom injustice had been done should come before the House and endeavour to get justice by destroying the effect of those false statements. But, in the present instance, such had clearly not been the case, even from the statements of the petitioners themselves. The action that the House took last session was not to decide upon the question as between Mr. De Hirsch and Messrs. Whitaker and Landon, but it was to create a tribunal who would decide all disputes in land dealings with the Natives—a tribunal which consisted of the Chief Judge of the Native Lands Court, Judge Munro, and the Native Assessor. Those were the gentlemen who sat in judgment upon the case. As Judge Fenton took a considerable part in passing the Native Lands Act, perhaps it might be said that his judgment was prejudiced, but what did Judge Munro, who took no part in the matter, say, after having heard all the evidence that is desired to be brought before the House as a court of appeal? He said:—

"Messrs Whitaker and Landon appear to have proceeded on the assumption that the original lease was technically illegal; but I consider it my duty to take a broader view of the transaction, and it is quite clear that the Parliament intended that the Court should do so. I think that the obtaining of the second leases from the Natives under the circumstances was repugnant both to public and private morality."

That was the decision of the Court, and he would recommend honorable members who might

not have read the judgment of the Native Assessor to do so, as it was a perfect model of a judgment—the most perfect judgment he thought he had ever read in any case. He would read it:—

"Many difficult words have been used by the lawyers during this investigation, which I have been unable to catch or to understand. The things I have caught are these:—

"1. Mr. De Hirsch named the amount of rent money that he would give.

"2. The Maoris heard the amount named.

"3. On hearing the amount named, they agreed to lease the land.

"4. They themselves wrote their names in the lease.

"5. They received the money which they had agreed to take.

"6. These things were done immediately after the order of the Court was made.

"7. It was after Mr. De Hirsch had made improvements on the land that it was leased to Landon and party.

"8. The high rent given by Mr. Landon and party was heard of.

"9. The Maoris offered the land to Landon, and he accepted it with the knowledge that those were the same parties who had leased the same land to De Hirsch.

"10. They were afraid, but their fears were overcome.

"Now, I have carefully considered these words, and I see,—

"1. That according to Maori custom a man is always ill-spoken of who deals a second time with a thing which he has fairly and openly parted with. Hence the Maori proverb—'A patiki (flat-fish) is the only thing that returns to its own mud.'

"2. The point of the Crown grant is the order of the Court."

In that sentence the Native Assessor showed a more complete and perfect knowledge of the principles of law than even the two judges did.

"3. The Maoris hesitated (to lease the land a second time) because of the first lease. They were rebuked, and their hesitation ceased.

"I say, therefore, that the first lease should hold good, and that this Court should make it valid."

He did not wish to enter into the general question as to who was right or who was wrong, but he wished to point out that there had been a judicial inquiry and a judicial decision; not by one man, not by a partizan, and not such a decision as would be come to by the House, probably, but the result of a judicial inquiry with evidence taken on oath. The House should hesitate before it disturbed such a decision by appointing a Committee to inquire into it. The Committee was asked for on the ground that certain parties had been maligning by certain evidence given before a Committee of the House, but it was clear the House did not act upon those statements, but relegated the matter to the proper tribunal to determine upon. With regard to such statements, made and insisted upon, as that Mr. De Hirsch had evaded action for libel by going away, he wished those gentlemen who stated those

things would give the dates, so that the House might see how many months elapsed after all those transactions before any action for libel was brought. A great many months had elapsed; in fact, it was a very considerable time after the judgment of the Court was given, before any attempt was made to bring Mr. De Hirsch up for libel. Action was postponed until it was generally and publicly known that Mr. De Hirsch was about to leave the country. The action was commenced, but the Court adjourned, he thought for a week. In the interval no steps were taken to prevent Mr. De Hirsch from going away, and he left in the steamer, it being generally known, for a long time before, that he had intended to do so. He did not think it was right to make the statement that Mr. De Hirsch had evaded the action by leaving the country clandestinely. It was a mode of putting it which might be rather convenient, but he thought that it might be altered.

Mr. WILLIAMSON asked the honorable member if Mr. De Hirsch's name appeared on the passenger list of the steamer?

Mr. GILLIES.—It might be so or not. All he knew was that he heard publicly, two or three weeks before, that Mr. De Hirsch was going by that vessel. He would point out that the House was asked now to hear a one-sided case, because this appeal had been made after Mr. De Hirsch had gone, and when he could not be brought forward to give his own account of the affair. He thought the House would do well to leave the matter with the judgment of the Court, which decided as a judicial body. He had no interest in the matter, and did not wish to express any opinion as to whether that judgment was right or wrong. All he wished to see was fair play on both sides, and that the judicial decision of the Court should not be upset merely upon a one-sided statement.

Mr. CRACROFT WILSON, C.B., would make a few remarks in reference to what had fallen from the honorable member for Auckland City West. That honorable member stated that the Public Petitions Committee failed in their duty with reference to the petition in question; that they merely reported upon the prayer of the petition, and did not recommend the House to grant compensation. He was sorry that a member of the Government had got up and not taken notice of that assertion. In justice to the Public Petitions Committee some little remark might have fallen from the Government bench on that subject. He did his best to carry out the duties of that Committee in accordance with parliamentary practice, and, however much it might suit some honorable members to wish to turn the Public Petitions Committee into a tribunal, sometimes of appeal from the Supreme Court and sometimes from the decisions of other tribunals, as long as he had the honor to be Chairman of that Committee he would do his utmost to confine it to those cases within which the House had jurisdiction by parliamentary practice; that in cases in which redress could be obtained through the ordinary tribunals, and in which it was not

right for the House to interfere, and which were beyond its jurisdiction, the Committee would report to that effect. The case before the House had been brought before the Public Petitions Committee. A certain person was charged with perjury, and was it the duty of the Committee to go into that matter? If it was not their duty, then why should the Public Petitions Committee be blamed for having merely reported that the prayer for compensation could not be recommended to the House? He had one or two things to say to that. He asserted that the Colony of New Zealand was last year scandalized by the lawyers of Auckland sending in a petition to the House praying to be exempted from the Law Societies Act, a proceeding which was always referred to in terms of reprobation. He hoped that the honorable gentleman in whose name the motion stood would appoint such members to act upon the Committee as that the country would be satisfied with their verdict. He said so in all humility. He had had nothing to do with the gold fields, and he was thankful that he was not one of those who had been victimized last year by the reports sent down to Wellington. But he did feel for a body of men, amongst whom there were, undoubtedly, many gentlemen of high standing and reputation, that they should ask to be excluded from the Law Societies Act. He hoped that they would not have anything more of that kind.

Mr. VOGEL trusted that the House would agree to the motion. He observed that he was one of those whose names were put down as members of the Committee, and he, therefore, did not think it was at all desirable that he should advance too strong an opinion upon the subject. He thought it would be only an act of justice to grant the petition. The legislation of last year was premature, and there could be no doubt that the course adopted was the result of the pressing influences brought to bear. He had the greatest sympathy for Mr. Frederick Whitaker, on whose character an attempt was made to cast aspersions, and he might add that he entertained the greatest sympathy for the untiring efforts he had made to clear himself. What was the result as regarded one of the persons at whose instance action had been taken? One person had bolted from the Colony while a criminal prosecution for libel was pending against him. There existed a difficulty in bringing up the papers, and the proceedings took the form of a criminal prosecution for libel instead of for perjury. He thought the House would be doing scant justice to Mr. Whitaker if it refused to grant the Committee. The legislation last year was ill-advised. Mr. Whitaker had been put to a great amount of hardship, personal pain, and annoyance, but he had triumphantly overcome the aspersions which had been levelled at him. That was the opinion of those who were acquainted with the case in that part of the country where the largest amount of information was available. He had no doubt the honorable member for Coleridge was sincere in the opinions he had expressed about the case. He was aware that he (Mr. Wilson) had taken great pains in the

matter last year, but he was not able to agree with the course taken in the Native Lands Court. The legislation last year was very unfortunate, especially in permitting a gentleman who was a party to the legislation to preside over the Lands Court. He trusted, therefore, that the motion for the appointment of a Committee would be granted.

Mr. RICHMOND would certainly divide the House upon the question. He considered it would be a most unfortunate thing if the House undertook the rehabilitation of men's private characters. It was nothing to the House that Mr. Whitaker's character had been damaged. It was not through that House that this happened, nor through the House that he should seek to rehabilitate it. There were other tribunals to which people had access for the purpose of restoring their characters when they found themselves wronged. The legislation of last session, to which the Colonial Treasurer had referred in terms of condemnation, had not been founded upon the vices or virtues of Whitaker or Landon, or any other person; it was founded upon the evidence given by those gentlemen themselves, and by the judge of the Native Lands Court himself, and the Bill was drafted by that gentleman. The clause objected to, however, was inserted in Committee and passed by the House rather against than with the consent of Mr. Fenton, who did not like the Lands Court to be charged with that business. He had endeavoured to escape from it, and had distinctly and religiously abstained from expressing the slightest opinion upon the merits of the claimant. The view which was taken was this: There was a certain amount of obscurity as to the intention of the legislation of that House in a previous session, and there were conflicting decisions in the Native Lands Court in consequence. It was found that in a state of society where business was transacted hurriedly, and often under circumstances of violent excitement, large interests had gathered round these decisions of the Land Court, and there appeared no precise apprehension of the law as established by the House. It was thought that in this case, which was one of peculiar emergency, it was time that the House should interfere, with a view to interpreting its own intentions. It did interpret its intentions as to the future in one direction, and gave power to the Court to deal with the particular cases, which were to be decided upon their merits and upon considerations of equity. The Committee declined to investigate the allegations against Mr. Whitaker one way or the other. They did not cross-examine Mr. Whitaker, but simply received his statement. The determination, he thought, would be found in the report. At all events, there was a resolution submitted, to the effect that the Committee would not go further into the question, as they were not the proper tribunal for going into questions of that kind. There was a mass of evidence at hand that could be gone into but the Committee did not think it right to do so. The House was of the same opinion. He did not think it was at all desirable for the House to establish so dangerous a precedent. With respect to the remarks of the honorable member for the

Bay of Islands, he might say that, whatever he might have had to do with the gold fields, it did not interfere with his judgment in the matter. If the Committee were appointed, feeling as he did the impropriety of the course, he hoped he would be excused from sitting upon it.

Mr. BAIGENT thought that Mr. Whitaker ought to have been the last man to have gone to that House for redress. From the evidence given last year, it was clear that he was aware of the land having been purchased from the Natives. He had not, at the time, been long from England, and, on looking over the Act, he had discovered a flaw in it. He had then gone and offered the Natives one hundred sovereigns, saying, "Here is the money, let me have the land." The Natives replied "No, if we took your money we would be doing wrong, and if we do so we will be sent to Mount Eden." Here Mr. Whitaker was attempting to do a wrong with the Natives, and no doubt to similar conduct many of the troubles of New Zealand was attributable.

Mr. HALL did not think the House could refuse to appoint the Committee. If honorable members read the petition they would assuredly not refuse such an application. They might reject the claim if, upon inquiry, they thought it advisable, but he did not think they should say, "We will not hear you." The resolution had been objected to because it was stated to be an appeal from the Petitions Committee. He did not look on it in that light. It could be hardly contended that the Committee in question had exhausted the subject of the petition. The House had heard from the Chairman of the Committee that they could not go into the alleged perjury on the part of Mr. De Hirsch, although it was well known that the injurious statements of Mr. De Hirsch were false. The Chairman said that they could not go into those charges, but there was exactly a reason why the House should agree to a special inquiry being made into the facts of the case. As little did the petition appear to him to be an appeal from a judicial tribunal. No doubt the judicial tribunal did its duty in carrying out the law as the House had made it. What the petitioners now came for was, not to ask the House for a reversal of the decision of that tribunal, but to reconsider its own action in the previous session, and ascertain whether that action, and the charges made last session, which took away not only the property but the character of individuals, and which were placed upon the records and journals of House, were true or utterly false. It had been said that the decision of the House last session was not based upon the false statements made by Mr. De Hirsch. He did not say that that decision was entirely based upon those statements, but he did say that the minds of honorable members were influenced largely by those statements. He did not think it was possible for honorable members to read the affidavit made by Mr. De Hirsch with regard to the conduct of Mr. Whitaker without being influenced in the decision they had come to. Mr. Whitaker now asserted that those statements

were utterly false, and asked the House to do him justice. He thought, under these circumstances, the House should allow him to be heard. Mr. De Hirsch had stated:—

“That Mr. Whitaker did, while practising his profession and acting for Mr. De Hirsch, on or about June, 1868, obtain, either through ignorance or design, a lease from the Maori owners, which those owners had at the time no right to give.”

Surely that affected most seriously the character of a professional man, which was a matter of importance to him. Secondly:—

“That when Mr. Whitaker discovered his mistake, instead of perfecting his client's title, he made use of the position which he held as De Hirsch's lawyer, and obtained a lease of those lands himself.”

And thirdly:—

“That the Messrs. Whitaker, father and son, had wilfully given De Hirsch wrong advice as to this land, for the purpose of profiting by it themselves, and had so profited.”

These statements were printed in the records of the House, and, he believed, in an affidavit. Now, the whole of these statements contained in the declaration and affidavit were utterly and entirely false, and the petitioners offered to prove them to be so. They were in one instance so false that an allegation was made of Mr. Whitaker having done something at a time when he was not in the Colony at all. He thought he had shown enough to prove the petitioners had a fair claim to be allowed an opportunity of obtaining restitution of both property and character. It had been said that the House had nothing to do with clearing persons' character; but it had been made the instrument of blackening certain persons' characters, and therefore it should in all fairness be the instrument of clearing those characters. It was misleading the House to say that the whole question had been decided by a judicial tribunal. The House had not simply referred the question to a judicial tribunal, but had altered the legal positions of the parties before that tribunal. The honorable member for Mongonui had stated that Mr. De Hirsch could have been prevented from leaving the Colony if the petitioners had desired to prevent him. He (Mr. Hall) had heard that Mr. Whitaker did apply to the magistrates for a warrant to prevent De Hirsch leaving, but had been refused. There was only one other point to which he would allude, namely, the constitution of the Committee. He would suggest to his honorable friend to divide his motion. If the House consented to appoint the Committee, it would then be an important matter to decide who were those members who should be appointed on it. But this question should be dissociated from that of the appointment of the Committee. He would reserve any further remarks until the question arose as to the constitution of the Committee.

Mr. STAFFORD desired to ask the Government why the application to allow an appeal from the judgment of the Native Lands Court, which could have been done by an Order in Council, had been refused. He wished to know what was the

objection to allowing the case to be re-heard. The information might affect what action he took in the matter. It was very difficult for honorable members to come to any conclusion where so many strong assertions and counter assertions were made. He was not ashamed of the part he had taken with respect to the Act passed last session, as he considered it met the equity of the case at the time. He thought he had a right to ask the Government why they had not allowed an opportunity for the case being reconsidered when they had the power of doing so.

Mr. FOX was not aware of the fact alluded to, but he thought the reason was apparent. There had been no complaint that the tribunal had exceeded those functions justified by the Act passed last session. He was not aware of any ground for an appeal.

Colonel HAULTAIN objected to the appointment of the Committee. He did not think that they were called upon to investigate the case. The petitioners had had an opportunity of refuting the allegations of De Hirsch in the Native Lands Court. He assumed that to be the case. What was the opinion of one of the judges of the Court? Judge Munro said that “the attempt to obtain the second lease was repugnant to public and private morality.” He did not see how, in the absence of Mr. De Hirsch, they could make as satisfactory an investigation as had been made in the Native Lands Court. He was altogether opposed to the appointment of the Committee.

The hour of half-past five o'clock having arrived, the Speaker left the chair.

HOUSE RESUMED.

On the House resuming at 7 o'clock,

MILITIA BILL.

The House went into Committee to further consider this Bill, which was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

SALES FOR NON-PAYMENT OF RATES BILL.

Mr. VOGEL said the amendments made by the Legislative Council in this Bill were a reduction of the rate of interest from 15 per cent to 8 per cent., and also that the sale should be conducted only by public auction, and for cash. Upon the whole, it might be desirable to allow the Superintendent to sell in the best way possible; however, he would not raise that question; but, with regard to the alteration in the rate of interest from 15 to 8 per cent. it would be fatal to the Bill altogether. He therefore moved that the House do not agree to that amendment of the Legislative Council.

Mr. KELLY thought the effect of that amendment would be to spoil the Bill and make it unworkable. The object of putting on a high rate of interest was to compel the parties to pay the rates, whereas the effect of charging only 8 per cent. per annum would be, that the rates would not be collected, as the parties liable would rather pay that low rate of interest than pay the rates.

Mr. HALL asked for the indulgence of the House to refer to a former debate, in order to exonerate certain persons from blame, which they might otherwise incur if he were not allowed to do so. In the debate on the second reading of the Bill, the honorable member at the head of the Government was reported to have said:—

“Many of the absentees had refused to pay the rates, which might amount to a sum equal to the whole of the rates raised in the district. They could not be too careful in the course of action which the road boards should take in such cases. The owner of property had very little right to make any complaint or to appoint a long day for the payment of the rates. He could appoint an agent who could have specific power to prevent the property passing into other hands by payment of the taxes due upon it. The honorable member for Mount Herbert had expressed the wish that the Government had been able to extend legislation in the direction he had pointed out, but he (Mr. Fox) did not think the Government would be justified in going in that direction. Those were matters of purely provincial consideration, and if Provincial Governments had any functions at all, they should have power to deal with such matters. There were many districts in Canterbury which received large subsidies from the Provincial Governments who made no return. The honorable gentleman specified the particular district of Heathcote as one which drew largely out of the revenue of the Province, and contributed nothing towards the expense of constructing roads. If a district did not contribute a fair share towards road-making, it was for the Provincial Council to stop the supplies.”

He did not remember whether he was in the House at the time the honorable member made those remarks, if he was, they must have escaped his notice, or he should, in justice to the district which he represented, have corrected the remarks. He had received a letter from the chairman of the road board at Heathcote, requesting him to correct the statement. The amounts expended on the roads in the district of Heathcote for the last seven years were as follow:—In 1864, £1,028; in 1865, £1,752; in 1866, £1,667; in 1867, £761; in 1868, £750; in 1869, £630; and, in the present year, £1,200. So that he thought it would be freely admitted that Heathcote was one of the last districts of which it could be said that it would not contribute its fair share towards the public burdens. He was glad to have an opportunity of stating this matter rightly, and doing justice to a district which had always acted in a public-spirited manner in the discharge of those burdens, and the road board of which did its duty in the maintenance of the roads, and discharged other public functions in a creditable manner.

Mr. FOX would be exceedingly sorry if he had in any way misrepresented the honorable member's constituents, to the excellence of whose roads, by whomsoever made, he could himself bear witness, and also to the excellence of the ways of the gentleman by whom they were represented. He (Mr. Fox) thought he was

not responsible for the statement that had been laid to his charge. If the words were correctly reported—and he confessed that it appeared to him to be a verbally correct report of what he said—he (Mr. Fox) was not the original maker of the statement. He had only alluded to what the honorable member for Mount Herbert had said. It was very likely that there might have been an error on the part of the reporter, and that the district of Heathcote might not have been mentioned. But, in any case, it was not he, but the honorable member for Mount Herbert, who had to settle the matter with the honorable member's constituents. He trusted that the explanation he had made would be satisfactory to the honorable member.

Motion agreed to.

Question put, That a Committee, consisting of Messrs. Stevens, Gillies, and Vogel, be appointed to prepare reasons for disagreeing with this amendment, with the view to their being forwarded to the Legislative Council.

Agreed to.

GOLD DUTY BILL.

The amendments of the Legislative Council in this Bill were agreed to.

POSTAL SERVICE TO SAN FRANCISCO.

The resolutions reported from the Committee were read a second time. On the motion that they be agreed to,

Mr. HALL said that when these resolutions were under consideration in Committee on the last occasion the Colonial Treasurer proposed considerable alterations in them, which materially affected their character. These alterations increased the proposed rate from £25,000 to £40,000. That amendment was made without notice, and he, in common with other members, was taken by surprise, and was not able to proceed to the discussion of the question with that deliberation and previous consideration which the importance of the question really demanded. Since the resolution was passed he had had time to think the matter over, and he had come to the opinion that it would not be desirable to bind the Government to act in the way the resolution pointed out. He believed that if the Government thought the Colony could afford to pay £40,000 a year for its mail communication across the Pacific, the amount hitherto paid for the service *via* Suez being saved,—if the Government thought the Colony could afford that, all he could say was, that of that they were the best judges. In the amendment he was about to propose he did not therefore suggest any diminution of that sum, but he proposed to give them wider powers in its application. The resolution as now proposed bound the Government to spend that sum on a mail service running from San Francisco to New Zealand, terminating at Port Chalmers. If that resolution were adopted it would cut off this Colony from communication with any service to be established between the United States and the Australian colonies. It would prevent them from joining in a service which, with their co-

operation, would be a far more efficient one than any which New Zealand was at all likely to obtain by her own unaided resources. The Pacific service might be made entirely a New Zealand service, carried on under the control, and at the sole expense of, this Colony, the service being comparatively a slow one, conducted by small vessels; or the other alternative was of being connected with a very much more efficient and a much more speedy service, carried on by joint contributions. He did not see any great advantage that would result to this Colony from having the service entirely under its own control. No doubt it was rather a taking thing, at first sight, to have a service all to ourselves, but he was inclined to think that it was rather a sentimental idea than anything else. He did not see any great advantage to the Colony at large in having the service to terminate at one particular port. What they wanted was to establish communication between New Zealand and the great continent of America in large and fast vessels. Whether it stopped in New Zealand or went on to Australia was comparatively immaterial. He would, therefore, move the following amendment:—"That, with a view to carrying out, in an efficient manner, a mail service with San Francisco, the Government be empowered, on the determination of the existing contract, to enter into arrangements, for three years, with persons who may be in a position to efficiently perform such service, at an expense to this Colony not exceeding £40,000 a year. That such service should, if possible, be carried out in concert with the Governments of the United States and of the Australian colonies." He had, perhaps, not expressed entirely his own views on this question, but he had endeavoured to word the amendment so that the Government might accept it. It placed great power in their hands, but it provided an efficient service. He hoped the Postmaster-General would be able to accept the amendment.

Mr. ROLLESTON seconded the amendment. He had not had an opportunity of studying it, and had only just read it over, but, from what he had heard of it, it embodied the view he had held himself: that in the establishment of a service of this kind they were only getting half of the benefit of it if by it they were not connected with Australia as well as the American continent. His own belief was that the Australasian colonies would not be satisfied with a service which was not direct. In the time given for replying to letters a service would not work out satisfactorily to them unless it was direct from Honolulu to Sydney or Melbourne. It seemed to him, as was indicated by the honorable member for Lyttelton on the previous evening, that the cheapest and most advantageous service that they could establish would be one in connection with a direct service to meet the latter at the Fijis. A service of that kind would answer our purposes for years to come, and until such time as it might be shown to be more convenient that the service from California to Sydney or Melbourne should make one port of call in New Zealand. New Zealand could then arrange its own service to

the Fijis, and make its own arrangements with the line of steamers with regard to the ports—possibly a similar arrangement to that which was now proposed to be made. It was very desirable, now that they had entered into an arrangement, that that arrangement should be allowed to work to its natural end. If Mr. Hezekiah Hall was capable of carrying out the contract, he should be allowed to do so on the terms which had been already arranged by the Postmaster-General. If he was not able to carry it out, then the service should be allowed to drop, and they should endeavour to place themselves in communication both with the Australian colonies and with the Governments of California and the United States, with a view of getting a through service, either having the port of call in New Zealand, or what he thought would be much more satisfactory to the Australian colonies, calling at the Fijis, when New Zealand could have a branch service to that place.

Mr. VOGEL thought that a proposal like the present was brought forward last session, and that the House showed its disinclination to go into those gorgeous mail services which the honorable member for Heathcote supported. It need scarcely be pointed out to the honorable member that he was in the minority the year before last, when his colleagues abandoned some of the services which he supported.

Mr. HALL asked if the honorable member would be good enough to state what services.

Mr. VOGEL.—Services between Auckland and Sydney. There had always been a tendency on the part of the honorable member to keep up mail services which the House would not support.

Mr. HALL said he never did support any mail service between Auckland and Sydney.

Mr. VOGEL.—There was nearly a Ministerial crisis one night when the honorable member wanted to keep the service, and on that occasion the House went against him and his colleagues differed from him. There was a serious fiasco in the House at the time, and it would be in the recollection of honorable members that it was thought that there would be a change of Government. Last year, £40,000 was proposed by the honorable member as Chairman of a Select Committee.

Mr. HALL rose to order. It was hardly justifiable for the Postmaster-General, when an honorable member pointed out that the allegations which he had made with respect to that member were entirely incorrect, to get up and repeat them as the Postmaster-General was doing. He would again point out to the honorable member that he was entirely in error in stating that he (Mr. Hall) recommended a particular service last year. He simply signed the report as Chairman of the Select Committee.

Mr. VOGEL.—Everybody knew that the honorable member made a contract before the House met, and that the Select Committee, of which he was the Chairman, supported the continuation of the service by the West Coast from Melbourne, the cost of which would amount to £40,000.

Mr. HALL.—The honorable member was wrong.

He was repeating assertions which were not correct.

Mr. VOGEL.—The honorable member should be called to order. He (Mr. Vogel) would state a fact, whether the honorable member liked it or not. There was the report of the Select Committee, recommending that £40,000 should be spent upon an interprovincial and an intercolonial service—£14,000 and £26,000. He believed the House was not inclined to indorse those expensive services. Now, the honorable member came down with a proposal which, to say that it was grossly extravagant was but feebly to characterize it. It proposed that they should have a branch service to the Fijis. It might come direct to New Zealand, but it was to be in connection with the Australian colonies, and they were to spend £40,000 upon it. He did not think that the House would be inclined to go to that extent. The service which the Government proposed the other night was to cost £40,000, reducible by contributions to be received from the Australian colonies, and by postages to be received on account of the United States agreeing to forego the charge for transit through their territory. In other respects, the amendment of the honorable member was worded in a manner which would render it extremely difficult to be carried out. It stated that the contract was not to be entered into until after the determination of the existing contract, which would place the Government in the difficulty of having no contract at all in the meanwhile, because, unless the proposed contract was arranged before the termination of the existing contract, the service would for a time cease. Then, again, the effect of such a resolution would be to invite the contractor at once to throw up his contract; and, besides, it could not be supposed that any one would take £15,000, when authority was given to the Government to pay £40,000 for the service. By the resolution of the honorable member, the same contractor was shut out from re-tendering, but nothing would be easier than for him to ask Messrs. Halliday and Co. to tender for him. They had it in evidence. He read a letter to the House the other night from that very firm, and they did not complain of the amount of the subsidy received from New Zealand. They simply said that if the contract was to be continued, and they could obtain a subsidy from the United States, they would be willing to build much larger vessels. It was preposterous to ask the House to give such an amount as was proposed by the honorable member. The feeling of the Government was that, however desirable it was to keep up the service, the Colony was not in a position to spend £40,000 per annum upon it, especially for a branch service. It would be a mere piece of Quixotism on their part to do so. If there was to be a service *via* Australia and the Fijis, let the Australian colonies arrange for it, and let the Colony run a branch boat for a few thousands a year. That was quite sufficient. In regard to the suggestion to act in concert with the Governments of the United States and the Australian colonies, there was no use denying the fact that the Australian colonies did not care

about co-operating for the service. If the service existed, they might be induced to contribute towards it rather than be prevented from using it. There was an evidence of that, he thought, in the way in which those colonies acted with regard to the Panama service. It would be much more candid to say, "We will have no service at all," than to state, "We will carry out a service in concert with colonies who are unwilling to go into it." It was not necessary that he should detain the House any longer on the subject, and he would only ask that the House should go to a division upon the amendment as soon as possible, and throw it out.

Mr. TANCRED said the observations of the Colonial Treasurer puzzled him very much. The honorable member stated that the Colony could not afford to pay £40,000, and yet that was the very sum he himself proposed. He could not see how he reconciled that with his proposal the other night.

Mr. VOGEL explained that the proposal he had made was to be reducible by contributions to be received from the Australian colonies, and it was understood that an arrangement was to be made with the United States to forego the charge for transit over their territory, which came to a very considerable sum. He estimated that the cost to the Colony would be about £25,000 to £30,000 per annum for the service, which would include a provincial delivery all along the coast. The service now proposed was only to be a service which would touch at one port in New Zealand, and would cost £40,000, with probably £7,000 or £8,000 added for interprovincial distribution.

Mr. TANCRED understood what the Colonial Treasurer meant, and he was inclined to agree with him. It was quite out of their power to devise any service which would suit both New Zealand and the Australian colonies. New Zealand should institute a service which would suit all its own requirements and leave the Australian colonies to join in it or establish an independent one of their own. He would like to see larger powers given to the Government, and a larger sum voted, in order to have, not a communication between New Zealand and Honolulu, but between New Zealand and San Francisco. The whole value of the service depended upon their forming a mercantile as well as a postal communication between the United States, and not only with the United States, but with the whole of that enormous country on the western coast of America. In order to do that he did not think any branch service would be sufficient. If, as proposed by the Government, they had a service from Honolulu to Auckland, and then a branch service again from Auckland to Dunedin, the whole value of the service as a mercantile line would be lost. Besides that, the line was very much longer by Honolulu than direct from San Francisco. Looking at the map, it appeared to him that the line from San Francisco to Auckland was much more direct than the line round by Honolulu, and in order to have proper mercantile communication with San Francisco of any value at all, they must have large, powerful boats. He was very anxious

to see the Government go into a scheme of that sort to connect the whole eastern coast of New Zealand with the western coast of America. It would be a great deal better than for the mere transport of letters from San Francisco to New Zealand. It was of comparatively small importance to have a mail service which brought their letters a few days later. There was one point which he had not heard mentioned in regard to connecting the New Zealand with an Australian service, and that was that a postal service which suited us would never suit the Australian colonies, because the great object of those colonies was to have the Suez mail and the San Francisco mail alternating. Supposing the mail from England to arrive on the first of the month, they would wish the San Francisco mail to arrive on the 14th or 15th of the month; but if the Suez mail arrived on the first of the month at Melbourne, it would arrive on the 6th or 7th in New Zealand, and, in order that the San Francisco mail might arrive on the 15th at Melbourne, it would be due in New Zealand also on the 6th or 7th of the month. So that a service which would suit Australia would bring the Suez and San Francisco mails to arrive at the same time at New Zealand, and there would be one mail service lost, because, instead of having alternate lines they would have the mails from England by both routes arriving about the same time. What New Zealand wanted was to have the mails arrive every fortnight, and that was what Australia wanted. He would be quite willing to support the Government, if they could see their way to vote a larger sum than £40,000, in order to establish a direct route from San Francisco to New Zealand, for vessels large enough to carry the merchandise there and back, and thus to lay the foundation of an extensive trade. That would be, to his mind, quite as promising as the immigration and public works scheme.

Mr. VOGEL wished to correct a statement he had made in reference to the report of the Select Committee last year. He found, on referring to the report, that he was correct as to the amount, but not as to the way it was made up. He had stated that the Committee proposed to expend £40,000 on an interprovincial and an intercolonial service, whereas it was £14,000 for an intercolonial service and £26,000 for the Suez service.

Mr. PEACOCK said that they ought to divest themselves of any idea of subsidizing a mercantile service with San Francisco. The American people were quite enterprising enough to find from the mail communication whether there was a sufficient demand for goods to warrant their laying on sailing vessels, and would not be long in availing themselves of the chance if it arose. He thought it was the duty of this House to try and establish a safe and speedy mail service on the cheapest possible plan, and with that view he would have great pleasure in supporting the amendment of the honorable member for Heathcote. He certainly should not like to see the present service suddenly discontinued, if it were possible to carry it on, until they could see their way to adopting some other plan. He believed it would not be very long before a

service was established from Sydney and Melbourne to San Francisco *via* intermediate places on direct route, for he was certain that Sydney and Melbourne would not play second fiddle to New Zealand. This Colony would have to avail itself of that line by the establishment of a branch to the Fijis. For that purpose nothing like £40,000 would be required, as a fast and good class of boats for a short voyage could be easily obtained; in fact, those now in use would be sufficiently large for the purpose.

Mr. BUNNY would support the amendment of the honorable member for Heathcote, simply because it prevented any further expenditure than that which was incurred by the Colony under the existing contract until that contract was terminated. He would rather save the expenditure altogether. He did not believe in expending so much of the revenue of the Colony upon subsidizing those steam communications which the House seemed now very much disposed to increase. He would call the attention of the House to the action taken last session in the matter, when, upon the motion of the honorable member for Clutha, it was decided to do away with steam subsidies altogether. That was the first resolution, and subsequently a resolution was moved by the same honorable member, giving an authority to the Government to establish, if they could, steam communication with San Francisco at an expense not exceeding £20,000, and for a period not exceeding three years. Now it appeared that they had jumped from £20,000 to £40,000. He felt perfectly satisfied that, for an expenditure of a sum far less than £40,000, they could establish steam communication between New Zealand and the Fijis, which would answer all the purposes they required. As far as he understood, at the present moment there was no steam communication with San Francisco to Sydney or Melbourne, and, therefore, he thought that when such communication was established, which, as the honorable member for Lyttelton had told them would shortly be the case, it would be quite time enough for them to go into the question. Therefore he should support the honorable member for Heathcote. If that amendment were lost, he would be prepared to vote against the resolution altogether. He did not think they would be doing their duty to the Colony in increasing the expenditure in the direction proposed. In one year they had decided upon a limited expenditure upon steam communication, and the next were prepared to double it without any reason having been given to justify that course. At present, steam communication with the Fijis was all that they could afford. No doubt it would be desirable, in future years, to establish communication with San Francisco, but not a mere mail service. What they wanted was a mercantile communication that would take the produce of this country to America,—and as the principle products, wool and flax, were very bulky, they would require large vessels—and they could receive American goods in return; such a communication would be more beneficial to the country than a simple mail service.

Mr. CREIGHTON said it appeared to him that the object of the amendment, and of the honorable member who had last spoken, was to break down the service altogether, and put nothing whatever in its place. When the honorable member talked of subsidizing a large class of steamers to carry the raw material and produce of New Zealand to the United States of America, it looked, to his mind, uncommonly like an attempt to throw dust in the eyes of the House. They were very much more likely to receive the produce of the United States than to export the produce of New Zealand to that very flourishing and prosperous country. To base any argument upon such an idea as that, and to support the amendment because it was calculated to result in it, led him to see the object of the honorable member in moving the amendment, and of his friends in supporting it. He would call the attention of the honorable member for Heathcote to the fact that the only result of the amendment must be to break down the existing service and substitute nothing in its place, because the Government were not empowered to enter into any contract with any other steamboat proprietors until the present contract was determined. He would also call the attention of honorable members to another fact, namely, that the amendment contemplated this service being carried out in concert with the United States Government. The honorable member must have read the Bill now before the Congress of the United States of America, which provided that no subsidy should be paid for any mail service between the United States and any part of Australia or New Zealand which was not performed by American vessels. In fact, the whole machinery and control of the service was to be in the hands of the United States Government. Provision was made by the Bill to have the United States mail agent in charge throughout, so that all this or any other colony would have to say to the matter would be to pay a sum of £80,000 or £100,000 as a subsidy for an American line, as they would have no control over the service. Reading the resolution by the light of that Bill, it was clear to his mind that the effect of the amendment would be to break down the service. With regard to the branch service to Fiji, the intelligence recently received from that part of the world led him to believe that a steam service would shortly be established, without the assistance of the House, between Auckland and Fiji, and therefore there was no object to be gained by carrying the amendment, with a view to tailing on this Colony to some future line of mail steamers between Sydney and San Francisco by a branch line to Fiji. He thought the House would do well to adopt the resolutions which had been passed by the Committee. They provided for a direct service under the control of the House. If New Zealand were in a position to go into the market and borrow four millions sterling for public works and immigration, she was not a country which should be content to play second fiddle in a mail service between this country, Honolulu, and San Francisco. He trusted that the House would not be misled by

the amendment, which would result in breaking down the present service.

Mr. RICHMOND could not allow the motion to pass without expressing his views upon it. He could not go with those who indulged in transcendental arithmetic. He had been brought up in old-fashioned addition and subtraction. He did not see where the means existed for carrying on the service. He considered that, as men of business, they should wait until they had seen the fruits of those schemes which were then before the country. The House, in its legislation of this session, was, to his mind, only playing the part of the frog in the fable. That was not the first time they had launched out into services ridiculously out of proportion to their means and wants, and had ridiculously failed. They had put on great steamers on another ocean route, with Maori names, which, now that the bubble was burst, remained to demonstrate that the Colony had eyes bigger than their stomach. If they possessed ordinary business capacity they would measure their position better. They should not rush forward to the front on all occasions with such foolish haste in undertakings of such importance. They should put their vanity in their pocket, and allow others with larger means at their disposal to take the lead. As had been intimated to them, they might very shortly obtain communication, at a trifling expenditure, from Australia to San Francisco, by a branch service from Auckland to Fiji. That appeared to him to be the right course to take. It was not a matter of urgency. They had gone on to the year of grace 1870 without a mail between New Zealand and San Francisco, and they could go on for a few months longer without it. The more he had seen of the session the more had he been astonished. The honorable member for Ashley—whom he had given credit for the possession of some common sense—had come out with a proposal that the Legislature should take up a new function and go into commerce. They were asked to take the work from every trade and profession in the Colony. Those proceedings, he believed, would come to a ridiculous failure in every direction. It was not the duty of that House to subsidize ships for the purpose of commerce. If they took up postal services they did so because they were necessarily a monopoly, and because it was not convenient that any one should have a monopoly but the Government of the Colony, yet that was no reason why they should establish a monopoly of commerce. If there were any ground of commerce between this country and California it would find its own way. He would advise them to wait until their protective duties had opened the ports of America to their wool; then they might talk about having steamers to carry their wool to America. He was out of all patience. If the country went on with such legislation, he hoped the wishes of his friend opposite would be fulfilled, and that he (Mr. Richmond) might be denied a seat in that House. He saw plainly that it was no place for him, and he would retire into private life until the whirligig of time brought

back the Colony to common sense, and the principles and demonstrations that had been handed to them by men wiser than themselves.

Mr. MOORHOUSE considered that the subject before them was, whether they should have a mail service *via* San Francisco or not. They had one already by Suez, but it was considered that they should have another by California at a cost of £40,000. The honorable member for Heathcote appeared to think that that sum was not enough.

Mr. HALL.—No.

Mr. MOORHOUSE.—The honorable member said it was impossible to have a direct service for that amount—that they could not get a ten knot service for the money. He thought that the best thing they could do would be to ascertain immediately whether His Excellency's advisers were deserving of the confidence of the House or not. It should be conceded that they did deserve that confidence, upon the ground that they had taken uncommon pains to become acquainted with all matters with which the Administration had to deal. If they did not consider that the Government were capable of carrying on the business of the country to their satisfaction, they could turn them out and have others in whom they could have confidence in their place. He thought that there was a great deal in what had been said about the Government exercising a monopoly in trade. He agreed with the honorable member for Lyttelton that mercantile interchange should be conducted by private enterprise. The question for the House to consider was, whether they were to have a direct mail service or not. For his part, the scheme propounded by the Government was as good as any he had heard started. Whatever would be the result of it, the Government would be responsible. They would reap all the credit if it proved successful, and all the disgrace if it proved a failure. He was willing to leave the matter in their hands without specifying particulars at all. He would say to them, "There is £40,000; do the best you can with it." He had not the slightest choice as to where the service commenced—whether it commenced in Otago or Auckland. He could say for himself personally, and for that portion of the country which he represented, that they would be satisfied to have an efficient and regular mail service, quite regardless of where the terminus was situate. He thought the House should admit that the Government had taken every reasonable care to provide that for them, and he would, therefore, oppose the amendment.

Mr. HALL desired to say a few words in explanation. The Colonial Treasurer said that he (Mr. Hall) had, last session, taken upon himself to recommend a sum of £40,000 for mail services when acting as Chairman of the Select Committee. In reply to that he stated, in the first place, that he simply, as Chairman, signed the report by order of the Committee, but it was not to be assumed that he therefore concurred in the recommendation of the Committee. He had his own opinions upon the subject at the time. In the next place, the sum stated in the report of the Committee was

£14,000 for bringing the English mail from Melbourne and distributing it through the Colony. The cost of the main service *via* Suez £26,000. He would suggest that the honorable member should read the report, and he would find that the Committee did not make any special recommendation. There were two questions submitted to the Committee, namely, firstly, the arrangement which it might be desirable to adopt for the conveyance of the New Zealand portion of the English mails to and from Australia, and the probable cost of that service; and, secondly, what advantage was likely to be derived by this Colony from the establishment of a mail service *via* Torres Strait, and from the establishment of a mail service between New Zealand and San Francisco, together with the relative cost of such services. The Committee pointed out the main features of the two different plans suggested for bringing the English mails from Melbourne by one intercolonial service or by two, stating the time in which the letters could be delivered and the cost. The report then stated:—

"Your Committee abstain from making any recommendations as to which of the two schemes should be adopted. The question appears to them to be mainly one of expense."

The Committee simply stated facts, and barely hinted at which they considered the cheaper service.

Mr. VOGEL wished to know if the honorable member intended to convey the impression that the Committee did not state that the choice lay between either of the two. He certainly understood a remark in the second paragraph to imply that one of the two should be adopted.

Mr. HALL said he had read to the House the questions put to the Committee. They simply stated facts. The only thing in the nature of the recommendation was as follows:—

"The statement above given will enable your honorable House to form a reliable opinion as to the relative postal advantages of the two proposals, and as to their probable cost, as well as to determine whether the advantages presented by the double service are worth the additional outlay which it will involve."

He hoped it would not again be said that he had recommended any sum last year. He had also mentioned that the £40,000 proposed in his present resolution to be spent in the carriage of the mails across the Pacific was to be reducible by certain contributions.

Mr. GILLIES would not detain the House with any lengthened remarks, but would state at once that he would support the Government resolutions, and oppose the amendment of the honorable member for Heathcote. He was not at all surprised to hear the objection made to the Government proposal, coming, as that objection did, from the quarter from which it emanated. He had hitherto been an opponent to the self-reliant policy, but he was an advocate of that policy in this case, and he thought it was far better that New Zealand should rely upon itself for its postal service. He did not understand the transcendental arithmetic spoken of by

the honorable member for Grey and Bell, but he knew something of addition and subtraction, and he thought those who appeared to depreciate transcendental arithmetic were just the persons who were the fondest of using it. Those honorable gentlemen did not think it was better for the Colony of New Zealand to pay £40,000 for a direct postal service for New Zealand than to pay the same sum for a branch line to Fiji or a contribution towards an Australian service. New Zealand had been growing of late years, and had been growing very fast, in the estimation of that part of the world situated on this side of the equator; and when it was remembered how New Zealand was looked upon when it was first proposed to start the Panama service,—how the whole thing was pooh-poohed by the Government of Australia,—how the Government of New Zealand was set aside, with a sort of deferential wave of the hand, as if unworthy of consideration in the matter, he could understand that there might exist, in some minds, a desire to continue in a subordinate position to Australia. It seemed to him that the time had come when this Colony should assert its proper position and its geographical advantage in regard to postal services and maritime affairs generally. He thought it would be well worth while to spend a little money in order to teach Australia that New Zealand was determined to be master in maritime affairs in these seas, as it must necessarily become, from its geographical position. It was admitted on both sides that the Colony could spend £40,000 on this service. On the one side it was proposed to have a branch line to Fiji or Sydney, and no objection was made by those honorable gentlemen on the score of expense; but on the other side it was proposed to have a direct service to New Zealand. The question was, which they should think it better to have, and he considered that if the Colony could obtain a direct mail service, the position of New Zealand would be raised among the Australian colonies. If the Colonial Treasurer was prepared to carry this out—and it was the best plan, as had been stated by the honorable member for Lyttelton—let the House authorize him to undertake it, and let the credit of success, or the disgrace of failure, rest with the Government.

Mr. BRANDON could not understand the humility of the Government. He could not understand why they should not adopt the proposal of the honorable member for Heathcote with respect to the contract, instead of being bound by any port of call between New Zealand and San Francisco. The original proposition was that there should be a particular line and particular termini. The proposition now submitted to the House released them from all those restrictions, and they were asked to take power to carry out what was believed to be beneficial for the country by way of a direct mail service, or a service in conjunction with some other line. The Government might take unlimited discretion, but the expense was not to exceed £40,000 per annum. There was no necessity for them spending all that if they could

get contributions from the other colonies. They might make the terminus of the line in New Zealand, and oblige the Australian colonies to put on branch steamers for the conveyance of their own mails. If the Government felt themselves so confident in undertaking to spend so many millions for the benefit of the Colony, why not take this unlimited discretion to carry out the scheme to the extent they thought beneficial for the Colony with this £40,000. That seemed to him to be the principle proposed by the honorable member for Heathcote. There was no intention to bully the Government. He only said, "Get what you can out of the Australian colonies, but if you can get nothing, you may go to the extent of £40,000." He (Mr. Brandon) did not understand why the Government should not take the course that left them unfettered, in preference to adhering to the resolutions before the Committee, which really did fetter them; nor did he understand why men who could feel themselves able and willing to spend such unlimited sums on railways, roads, public works, and immigration, should be so exceedingly particular about accepting the power to spend £40,000.

Mr. COLLINS said that the speech of the honorable member for Mongonui brought to his mind the fable of the frog and the bull; he thought that we were imitating the conduct of the frog, and he earnestly hoped that common sense would return to the Colony before it shared the frog's fate. He was aware that, holding the opinion he did, he stood in a small minority, but, notwithstanding that, he felt bound to confess that he could not see the necessity of two ocean mail services. They were well served by the service *via* Suez, and he was not disposed to vote a single farthing for another at present. If those grand schemes which were about being undertaken proved productive, if the Colony arrived at the great wealth spoken of, it could then afford half a dozen mail lines. One line, in his opinion, was quite enough for their present wants, and he believed that, although in that House he should probably be in a minority, nevertheless, that the majority of the people of New Zealand agreed with him. With regard to the great advantages said to be derivable from their connection with America, he thought those advantages were very doubtful. At all events, whether these were great or small, he was not disposed to pay £40,000 per annum for them. He would therefore vote against the resolution before the House.

Mr. VOGEL had only a few observations to make in reply. He had already stated reasons why it would not be desirable to accept the amendment on the resolution of the honorable member for Clutha, which asked specifically for the payment of £40,000, provided the terminus of the line was within the Colony. Some honorable members seemed to prefer having a branch line to the Fijis than that the terminus should be at Port Chalmers. He had been even told that there was no use in making Port Chalmers a terminus, as it was not inside the Colony. He thought, however, honorable members would agree with him that Port Chalmers was within the

Colony. There was a wide difference between spending £40,000 a year to secure a large line of ocean steamers, making the Colony the terminus, and spending the same amount of money simply for a line of steamers calling at some port on their way to Australia. He had no desire to go through the same ordeal as he had passed through since last session, in consequence of not having any direction from the House as to which port should be the port of call. The Government had quite enough to do without being tormented with small local jealousies respecting the port of call, and it was far better they should know the desire of the House on the matter. The honorable member for Timaru had asked why the Government should object to have the power which the amendment would give to them, when they had asked power to spend so much money on public works. They did not ask for such a power, because the money was required for a particular service, which was stated in the resolutions, and they had no desire to go beyond that service, because it would not be advantageous to do so. The Government had certainly asked for power to spend money to a large extent, but it was for very useful and desirable works. The service to San Francisco was of the greatest importance, and they would not have to pay an extravagant sum for it. Why should they expend a large sum of money, as proposed by the honorable member, and allow other colonies to enjoy greater benefit from the service than this Colony would enjoy? The existing arrangement was very favourable, involving an expenditure of £20,000 a year. If they paid more, let them have the terminus in New Zealand, and let them have full control over the line. He trusted honorable members would not allow petty local jealousies to interfere with their views on a great question of this kind, but that they would consider it from a New Zealand point of view. He hoped the division would show the honorable member for Heathcote that it was the opinion of the House that Port Chalmers was within the Colony of New Zealand.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result :

Ayes	...	...	...	...	36
Noes	...	...	...	...	16
					—
Majority for	...	...	...	...	20
					—

AYES.

Mr. Armstrong,	Mr. McLean,
Mr. Barff,	Mr. Mervyn,
Mr. Birch,	Mr. Moorhouse,
Mr. Carleton,	Mr. Munro,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. O'Rorke,
Mr. Creighton,	Mr. Parker,
Mr. Dignan,	Mr. Russell,
Mr. Driver,	Mr. Studholme,
Mr. Eyes,	Mr. Swan,
Mr. Fox,	Mr. Tancred,
Mr. W. H. Harrison,	Mr. Vogel,
Mr. Haughton,	Mr. Wells,
Colonel Haultain,	Mr. Williamson,

Mr. Kelly,
Mr. Kerr,
Mr. Macfarlane,
Mr. Main,
Mr. McGillivray,

Mr. Brandon,
Mr. Bunny,
Mr. Collins,
Mr. Curtis,
Mr. Fitzherbert,
Mr. Jollie,
Mr. Kynnersley,
Mr. Ludlam,
Mr. Patterson,

Mr. W. Wood.

Tellers.
Mr. Gillies,
Mr. Macandrew.

NOES.

Mr. Peacock,
Mr. Richmond,
Mr. Stevens,
Mr. Taylor,
Mr. J. C. Wilson, C.B.

Tellers.
Mr. Hall,
Mr. Rolleston.

The amendment was consequently negatived.

Question put, "That the House doth agree with the Committee in these resolutions," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	36
Noes	...	...	...	...	16
					—
Majority for	...	...	...	...	20
					—

AYES.

Mr. Armstrong,
Mr. Barff,
Mr. Birch,
Mr. Brandon,
Mr. Carrington,
Mr. Clark,
Mr. Creighton,
Mr. Dignan,
Mr. Driver,
Mr. Eyes,
Mr. Fox,
Mr. H. S. Harrison,
Mr. W. H. Harrison,
Mr. Haughton,
Colonel Haultain,
Mr. Kelly,
Mr. Kerr,
Mr. Macfarlane,
Mr. Main,

Mr. McGillivray,
Mr. McLean,
Mr. Mervyn,
Mr. Moorhouse,
Mr. Munro,
Mr. O'Neill,
Mr. O'Rorke,
Mr. Russell,
Mr. Studholme,
Mr. Swan,
Mr. Tancred,
Mr. Vogel,
Mr. Wells,
Mr. Williamson,
Mr. W. Wood.

Tellers.
Mr. Gillies,
Mr. Macandrew.

NOES.

Mr. Peacock,
Mr. Rolleston,
Mr. Stevens,
Mr. Taylor,
Mr. J. C. Wilson, C.B.

Tellers.
Mr. Ludlam,
Mr. Richmond.

The resolutions were consequently agreed to.

THIRD READINGS.

The Harbour Boards Bill and the New Zealand and Australian Submarine Telegraph Bill were read a third time, and passed.

CROWN GRANTS BILL.

The House went into Committee on this Bill. Progress was reported, and leave given to sit again next sitting day.

PUBLIC TRUSTEE BILL.

On the motion that the House do go into Committee on this Bill,

Mr. BRANDON said he should move that the Bill be referred to a Select Committee, with a view of considering its provisions and restricting their operation to public trust properties, and properties in which married women, lunatics, and infants were interested. He believed the Bill went too far in enabling the public trustee to accept a trust in regard to properties which the parties could manage themselves, and to interfere with the interests of individuals whose business it was to attend to such matters. It seemed to him that the Government were seeking to do too much this session, and that they were interfering with individual interests. They were seeking, by this Bill, to establish a commission and agency business. He did not know whether they might not go further, and take charge of an old woman's shop for the sale of groceries, starch, and such like; or whether they might not even go the length of establishing a pawnbroker's shop. They might just as well do that under the power to undertake the management of property for any person who would place the management of it in their hands. Under the Bill, the Government sought to usurp powers which did not pertain to the proper functions of Government, and to get into their hands a great deal of influence and patronage, and the means of exercising thereby corruption and bribery. He thought the House ought not to place that power in the hands of the Government. In this, as well as in other Bills which had been passed this session, the Government had exceeded their proper functions. He had said, on a former occasion, that a public trustee might be appointed with advantage to the community, but he thought the operation of the Bill should be confined to the management of public trust property, and property in which married women, lunatics, and infants, who could not manage it for themselves, were interested. He should, therefore, move the following amendment:—

"That the Bill be referred to a Select Committee, with instructions to respect the provisions as to the management of public trust property; of property in which married women, lunatics, and infants are interested; the property of intestates when no duly authorized person shall apply for letters of administration, and the acceptance by the public trustee of executorships and trusteeships under wills."

Mr. VOGEL would most decidedly oppose the motion of the honorable member. There was no necessity for referring to a Select Committee a Bill that had been heartily approved of by five-sixths of the members of the House. It would be an enormous public benefit; it would carry confidence and security to the homes of thousands of persons, and would be the means of introducing a large amount of capital into the country. It would also be the means of saving a number of unfortunate persons from being reduced to beggary by the dishonesty of trustees and by persons

who ought, from their profession, to know better. The honorable member thought he had made a strong point by saying that the Government should go into the pawnbroking line, but if the unhappy people whom misfortune compelled to have dealings with pawnbrokers were fleeced to only half the extent other persons were by trustees and lawyers, he could only say that it might be a consideration for the Government whether they might not establish a pawnbroking business with advantage to the public. The object of the honorable member was to get rid of the Bill altogether.

Mr. BRANDON.—No, no.

Mr. VOGEL.—Then the honorable member was more innocent than he gave him credit for being. To send such a Bill to a Select Committee, with instructions to remodel it so as to meet the objections of certain interested parties, would be equivalent to throwing it out altogether, as it would be impossible, at that late period of the session, to pass it afterwards. The Bill was wanted to meet an urgent public necessity, so that when minors applied for their inheritance they should receive their property, instead of having handed to them a pile of lawyers' bills which had absorbed the whole of it.

Mr. STEVENS thought that the more convenient time for the honorable member for Porirua to have proposed to refer the Bill to a Select Committee would have been on the second reading. He must say, without expressing any opinion on the point the honorable member had raised, that he did not see any reason why he should have moved his amendment; but if he merely objected to the way in which the Bill was drawn up, it would be perfectly easy for his honorable friend to move, in Committee, whatever amendments he might think calculated to achieve his object. He thought it quite unnecessary to refer the Bill to a Select Committee, the only effect of which would be to postpone the measure until next session.

Question put, That the words proposed to be left out stand part of the question.

Agreed to.

The House then went into Committee on the Bill, which was reported with verbal amendments, read a third time, and passed.

PAYMENT OF COMMON JURORS
BILL.

On the motion of Mr. HALL, it was ordered, That a message be sent to the Legislative Council, requesting that they will agree to a free conference on their amendments in the Jurors Bill, and that Mr. Richmond, Mr. Ludlam, and Mr. Hall be appointed managers on the part of this House.

The House adjourned at ten minutes to twelve o'clock p.m.

LEGISLATIVE COUNCIL.

Friday, 26th August, 1870.

Post Office Bill (No. 2)—Bills Committed—Government Insurance and Annuities Bill—Superintendents of Marlborough Election Bill—Otago Hundreds Bill—Messages from the House of Representatives—Immigration and Public Works Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

POST OFFICE BILL (No. 2).

On the order of the day for the third reading of this Bill being called on,

The Hon. Mr. GISBORNE moved that the following new clause be added to the Bill:—

"If it shall appear to the Governor that any person or persons in New Zealand receive letters or newspapers from any place beyond New Zealand for the purpose of posting them to be sent to any colony as to which any such order shall have been issued as aforesaid, by vessels plying and subsidized as aforesaid, or that any person or persons post any such letters or newspapers in order that they may be sent to any such colony by any such vessels, or that any person or persons in New Zealand receive letters or newspapers from any such colony by any such vessels for the purpose of posting them to be sent to any place beyond New Zealand, or that any person or persons post any such letters or newspapers as last aforesaid in order that they may be sent to any place beyond New Zealand, the Governor in Council may from time to time make rules and regulations for the purpose preventing and prohibiting any person or persons from posting any such letters or newspapers to be sent by the post as aforesaid, and for punishing persons offending against such regulations; and the Governor in Council may, for the purpose of giving effect to the rules and regulations so to be made, provide by such regulations for the imposition of any penalty not exceeding one hundred pounds for any one offence against such rules and regulations."

The Hon. Mr. BONAR thought that this provision would be far too stringent. If any person in Melbourne enclosed a letter to a merchant here, requesting him to forward it by post, he would be rendered liable to a penalty of £100.

The Hon. Mr. GISBORNE did not suppose that such a case, unless it were intended, would be any violation of the clause, which was simply intended to provide against non-contributing colonies sending letters by vessels subsidized only by New Zealand. It was of course very easy to arrange for letters to be sent to some correspondent who would open them here, and the clause was introduced to prevent any such practice. If the honorable member thought that the provision was too stringent, and would propose an amendment which would afford a fair amount of protection to the people of this Colony, who bore the whole cost of the service, he would be happy to consider it. As the printed amendment had only just been distributed, he

would move that the debate be adjourned until next sitting day.

Motion for adjournment agreed to.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Government Officers Guarantee Bill; upon which progress was reported, and leave obtained to sit again next sitting day.

The Dangerous Goods Bill and the Gold Fields Bill were reported with amendments, and the third readings fixed for next sitting day.

The Resident Magistrates Evidence Bill was reported without amendment, read a third time, and passed.

GOVERNMENT INSURANCE AND ANNUITIES BILL.

The Council went into Committee on this Bill.

IN COMMITTEE.

The Hon. Mr. WATERHOUSE moved the addition of a new clause, to the effect that no insurance should be granted for a sum exceeding £5,000.

Question put, "That this clause be added to the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	16
Majority against ...					7

AYES.

Mr. Bonar,	Mr. Pillans,
Mr. Campbell,	Mr. H. R. Russell,
Mr. Holmes,	Mr. Waterhouse,
Mr. Mantell,	Colonel Whitmore.
Mr. Nurse,	

NOES.

Captain Baillie,	Mr. McLean,
Dr. Buchanan,	Mr. Miller,
Mr. Chamberlin,	Mr. Robinson,
Captain Fraser,	Colonel Russell,
Mr. Gisborne,	Mr. Sewell,
Mr. Johnston,	Mr. Stokes,
Colonel Kenny,	Mr. C. J. Taylor,
Mr. Lee,	Mr. Williamson.

The motion was consequently negatived.

The Bill was reported with amendments, and the third reading fixed for Tuesday.

SUPERINTENDENTS OF MARLBOROUGH ELECTION BILL.

The Hon. Captain BAILLIE moved the second reading of this Bill.

The Hon. Mr. ROBINSON would move as an amendment, that the Bill be read a second time that day six months. He thought that, considering the important questions which were before the Council, it would be a waste of time to attempt to alter the constitution of any of the Provinces, especially as several honorable members had stated that they would like to see the Provinces abolished. The honorable the mover had not shown any reasons why the Province of Marlborough should

be excepted from the operation of the New Provinces Act. A resolution had been forwarded from one of the most influential Provinces, namely, the Province of Canterbury, to the effect that it was desirable that the Superintendents of that Province should be elected in the same manner as the Superintendents of Marlborough had hitherto been elected, and which was now before the Legislature. He hoped the Council would see the propriety of agreeing to his amendment.

The Hon. Colonel KENNY said that he would second the amendment, because the honorable gentleman who introduced the Bill had not spoken upon its principles, or want of principles.

The Hon. Mr. SEYMOUR thought that it was due to the Council that he should explain why, after having taken up the Bill, and placed a notice on the order paper for the second reading, he did not intend to support it. Mr. Eyes had asked him, at an early period of the session, whether he would take charge of it when it was before the Council, and, without due consideration, he consented to do so. Since that time he had carefully considered the subject, and had taken counsel with many persons who were interested in the Province, and had come to the conclusion that the proposed change was not a desirable one. He then had an interview with Mr. Eyes, and explained the change which had taken place in his views, offering to fulfil his promise to move the second reading, if it were desired, but stating at the same time that he could not support it. Under those circumstances, Mr. Eyes had requested him to withdraw it.

The Hon. Captain FRASER was sorry that that the Bill was to be shelved, as it was a wise and just measure. It would restore to the Province of Marlborough the rights which they had lost under the New Provinces Act; and, under the new Ballot Bill, there could be no doubt that that the right man would be put in the right place.

The Hon. Mr. SEWELL would vote against this Bill. It was a slur upon the Legislature to suppose that it would pass a Bill of this kind without any reasons being advanced in support of it. He might say that both the existing and proposed mode of election were equally repugnant to his views.

The Hon. Mr. McLEAN said that with respect to the remark of his honorable friend Colonel Kenny, he thought the mover had shown his sense in not speaking upon the Bill when he knew that there was no principle in it. He should support the amendment.

The Hon. Mr. MANTELL did not think that the honorable member was deserving of censure for not having explained the Bill. It was very kind of an honorable gentleman who was in charge of a Bill which had no principle, to adopt means for its decent interment forthwith.

The Hon. Captain BAILLIE said that the Bill was founded upon a petition from some 400 residents in the Province of Marlborough, who desired to possess the same privileges as other Provinces in respect to the election of Superin-

tendents. He could not say which was the most useful method, because they had before them a resolution from the Provincial Council of Canterbury to the effect that, with a view to render the administration of the Province more simple, it was desirable that the Superintendent should be elected and removable by the Provincial Council. That resolution came from one of the largest Provinces in the Colony, and the Province of Marlborough arrived at an opposite conclusion. Most honorable members were aware of the contests which had taken place in that Province with regard to the election of Superintendents. He could not say anything in favour of the Bill beyond the fact that many people desired it. Mr. Eyes had spoken to him on the subject, and he (Captain Baillie) was anxious that the opinion of the Council should be taken upon the Bill.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	4
Noes	...	...	...	...	23
Majority against					19

AYES.

Captain Fraser,
Mr. Gisborne,

Mr. C. J. Taylor,
Mr. Williamson.

NOES.

Mr. Bonar,
Dr. Buchanan,
Mr. Campbell,
Mr. Chamberlin,
Mr. Holmes,
Mr. Johnston,
Colonel Kenny,
Mr. Lee,
Mr. Mantell,
Mr. McLean,
Mr. Miller,
Mr. Nurse,

Mr. Paterson,
Mr. Pillans,
Major Richmond, C.B.,
Mr. Robinson,
Colonel Russell,
Mr. H. R. Russell,
Mr. Sewell,
Mr. Seymour,
Mr. Stokes,
Mr. Waterhouse,
Mr. Williamson.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day six months.

OTAGO HUNDREDS BILL.

ADJOURNED DEBATE.

The Hon. Captain FRASER said that he would content himself with the explanation which he had given on the previous day, and would move that the Bill be read a second time.

The Hon. Dr. BUCHANAN said that as the Bill was an important one, he would move, as an amendment, that the debate be adjourned until next sitting day.

The Hon. Mr. SEWELL said that he had had an opportunity that morning of discussing the Bill with gentlemen who had pastoral interests in the Province of Otago, and, although it was not calculated to benefit them, they had intimated that they were willing to accept it as it stood. He hoped therefore, under all the circumstances, that the Bill might be allowed to pass without opposition. The alterations in the previous Act,

which were proposed to be made by this Bill, were of a trifling character, and they did not substantially change the principle of the existing law. The power of declaring hundreds was somewhat extended, against the interests of the runholders. By the present law, hundreds might be proclaimed upon the petition of the majority of the inhabitants, but under the proposed Bill one-third of the inhabitants would be sufficient. By the present law, 15,000 acres was the limit which could be proclaimed, whereas this Bill fixed the limit at 20,000 acres. An alteration was also made in the provision for giving compensation to runholders for their fencing, by which, instead of receiving the value of the fencing at the time, they would be entitled to a pre-emptive right over 640 acres of land.

The Hon. Mr. PATERSON said that in his opinion it would be a great satisfaction to a large portion of the people of Otago if not only this Bill, but also the one which it proposed to amend, were thrown out. He was persuaded that there existed great dissatisfaction in many districts of Otago with the Bill of last session, which would not be allayed by the passing of this amended Bill, and it would be a good thing for the peace of that part of the country if both Bills were rejected, and the original land law be again allowed to come into operation. The Bill of last session was introduced without the knowledge of the people or the Provincial Council, and nothing was known of it until it went down to the Province as the law of the land. It raised a large amount of indignation among the people more immediately interested in the question, which was not yet allayed. The present Bill was a kind of compromise between the two parties in the Provincial Council, which was nearly equally divided on the subject. It was, however, a mere compromise, and those who were against the original Bill would rather see it thrown out, if that could yet be done, than accept this amendment. He would support the motion for the adjournment of the debate, so that honorable members might have an opportunity of considering the matter more fully, and making up their minds on the subject.

The Hon. Colonel RUSSELL thought that the rule which had hitherto been adopted was to allow those questions to be considered by the Provincial Councils before they came before the Assembly, but in this case that course appeared to be departed from. He should like to be assured that this Bill was approved of by the Provincial Council and people of Otago. They had no evidence before them of that nature, and he thought it would be dangerous to allow a few members to pass such a Bill through Parliament without showing that it was in accordance with the wishes of the people. He would support the motion for adjournment.

The Hon. Mr. CAMPBELL could assure the honorable gentleman that the Bill was almost word for word the same as the Bill which had been passed by the Provincial Council of Otago. He hoped that the Council would not any longer adjourn the debate upon this question. It had already been

before the Council, and had been thoroughly discussed. The Bill was a kind of compromise in respect to the Act of 1869, which he considered to be an equitable measure. The present Bill had been accepted in order to allay the ill-feeling which had been occasioned.

The Hon. Colonel WHITMORE, C.M.G., said that the Council would do well to consider this particular Bill with reference to its connection with themselves. Last year, after a great deal of discussion, a Bill was passed which was understood to be a fair compromise—just as they had understood about every Otago Bill for years past—between opposing interests. That Bill became law after every possible chance had been given to people acquainted with the subject to express their opinions. The Provincial Council of Otago subsequently met and took the Bill into consideration, and refused to accept the action of the General Assembly; in fact they practically placed their veto upon it without trial, and these amendments were the consequence. The Council, if they accepted amendments of this kind upon their own Bill, would place themselves in a somewhat ridiculous position. The provisions of the last Bill were, in his opinion, fair and just; they were, perhaps, more favourable to the runholders than those in the Amendment Bill, but the runholders were in justice entitled to every concession which was made. In his opinion it was the duty of the Council to see that the last Act was carried out in its integrity, and to resist and refuse to adopt such amendments as were now proposed, until it had been tried and found wanting. The honorable gentleman had stated that the resolutions upon which the Bill was based were carried by a bare majority: he believed that to be true. He had read nearly all that had taken place on the subject, and he believed that a great diversity of opinion had prevailed in respect to it; and he thought that where there existed a probability that the opinions expressed for and against a measure were evenly balanced, the most proper and dignified course for the Council to pursue would be to adhere to its previous decision, and reject these amendments.

The Hon. Captain FRASER said that on the day previous he apologized for the apparent discourtesy of the Provincial Executive of Otago in having condemned a Bill untried. In fact, he would not have introduced the Bill without making an apology. If, however, this amended Bill was thrown out, they would have to fall back on the Bill of last session, against which there would be many petitions.

The Hon. Mr. GISBORNE said he could not agree with the doctrine which had been laid down, to the effect that because the Council passed a law one session they should not alter it next session. They had been continually altering the land laws upon the expressed wish of those people concerned; and if an Act passed last session had been found by the people of Otago not to work well, and if they expressed an opinion to that effect through a majority of the members of the Provincial Council, the amendments which they had made should be considered by the Council.

He certainly did not think that they should adhere to the doctrine that because an Act had been already passed they should refuse to alter it, whether it worked well or not. That was not the principle by which they had been guided hitherto in regard to the administration of the land laws, and besides it would be a dangerous principle to adopt. The administration of the land laws had been localized. It must be apparent, in fact, that those persons who resided in the particular Province affected by the Act, must have a better knowledge as to what were the requirements, on this subject, of the Province, than gentlemen who were not placed in the same position, and therefore they ought to pay some deference to the opinions expressed by the local representatives. As a member of the Council, he would be prepared to consider the amendments with every respect due to the opinions of those concerned.

Motion for adjournment agreed to.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Submarine Electric Telegraph Bill, the Harbour Boards Bill, the Militia Bill, and the Representation Bill, were received from the House of Representatives, read a first time, and the second readings fixed for next sitting day.

The Public Trust Office Bill was received from the House of Representatives, read a first time, and the second reading fixed for Tuesday.

On the motion of the Hon. Mr. SEWELL, the Hon. Dr. Buchanan, the Hon. Mr. McLean, and the Mover, were appointed as managers to confer with the managers appointed by the House of Representatives on the subject of their amendments in the Juries Act Amendment Bill; to meet at twelve o'clock next day.

IMMIGRATION AND PUBLIC WORKS BILL.

ADJOURNED DEBATE.

The Hon. Colonel RUSSELL.—Sir, I had intended, in rising to oppose the further progress of this Bill, to have spoken strongly against it, but I find the task has been taken out of my hands, for my honorable friend Dr. Buchanan has so damned it with faint praise, whilst my honorable and gallant friend Colonel Whitmore and my honorable friend Mr. Waterhouse have so belaboured it with amendments, and so many arguments have been urged against it by my honorable friends Mr. Miller and Mr. Holmes, that I, as an opponent of the Bill, find myself in the position of a man who strikes an enemy when he is down: I feel as if it was not in my power to hit out with good will. If I could have spoken after my honorable friend opposite, the Minister of Justice, I have no doubt that my position would have been different, and I look forward with considerable interest to the speech which he will make when he rises to address the House. Sir, I regret having to rise, for the first time, to oppose a measure of the Government, for, as I took occasion to state a few days since, I feel, in common with the Council and the country, that we owe them a great debt of gratitude

for having redeemed us from a state of war and confusion, and for having placed us in that position of comparative peace which we now enjoy. But, Sir, my motto has always been "measures, not men." I believe that such a motto is by some considered indefensible. I have heard it said that one ought to believe in men, not measures. Let us look, however, for a moment at some of the leading men of this Colony. First, I will instance one who stands highest in our estimation—Mr. Justice Richmond. Sir, I cannot forget that it is to that amiable, learned, and well-intentioned man we owe the war of 1860, and all that followed it. Again, probably no one has ever held a higher character for straightforward conduct and integrity of purpose than Mr. Weld; yet to that gentleman we owe what I may call the fatal policy of self-reliance. If we look at Mr. Stafford, than whom no man ever stood higher for statesmanlike views and administrative power, what do we see? On one occasion, not very remote, we find him coalescing with the miserable remains of a party which he had himself broken up, and the Colony thereby brought into a state of great confusion and deep humiliation, from which, I must acknowledge, my honorable friends on the opposite bench have now redeemed us. Under such circumstances, I think it is incumbent on every honorable member to act upon his own ideas; to put blind faith in no man, but to narrowly scan the various measures which may be brought forward by every so-called party as they come into office, and to act upon his own conviction. Sir, holding these views, I must say, although I say it with regret, that I feel it my bounden duty, by every means in my power, to oppose the measure now before us. My honorable friend the Colonial Secretary, in opening his address, justified the undertaking which we are now considering, by referring to the great depression that is alleged to exist in different parts of the country. I would ask, although I do not deny the existence of a considerable amount of such depression, whether that string is not too much harped upon? Does it justify the extreme measures which are now recommended for adoption by this Council? Sir, I think not. Let us consider the cause of this depression. Up to the year 1860 the Colony was in a fairly prosperous condition. Then came upon us the war, the effect of which was, not only to paralyze the industry of the country, but to unduly stimulate its revenue. As a consequence of that war an army of ten thousand soldiers was introduced into the country, and the expenditure in connection with that army could not have been less, but exceeded, I believe, £2,000 per day. Indeed, I do not think I shall over-estimate the expenditure if I speak of it as a million a year. Then, in 1863, we raised a loan of three millions, and that was also spent at a rate of not less than a million a year, for in 1866 very little of the loan remained. At the same time, every Province that had any borrowing power borrowed to its utmost extent, and the money was freely expended—I do not say that it was improperly expended—

it was diffused very freely over the country, and it is probable that another million a year was spent in that way. All this tended to stimulate the revenue and to raise it far beyond what it would have been in ordinary times of peace. After this—I was going to say as a necessary consequence—came what might be called a state of collapse; and I will now call the attention of the Council to what afterwards occurred, and what may, to some extent at least, account for the commercial depression which was ultimately experienced. The army was withdrawn, our loan had become exhausted, our borrowing power was taken away, expenditure ceased, and a great diminution of our revenue was the inevitable result. These circumstances of themselves would have been sufficient to account for an ordinary amount of depression. But, Sir, this was not all. There was experienced at the same time a period of such financial embarrassment as had never before been known in Europe, and in consequence of that financial embarrassment our staple export, wool, fell to half its value. The pastoral interest suffered immensely; there was no outlet for the sheep and cattle on runs which were heavily stocked; and, in fact, they became unsalable. If we consider these things, I do not think we need look further for a cause of the depression that has existed, nor do I think it necessary that we should now borrow twelve millions of money to relieve us of that depression. To say that I am in favour of immigration and the construction of public works is simply to say that I am a colonist, for I apprehend that there is no colonist who would oppose either the one or the other, if carried out in a judicious and proper manner; but to say that we must take this extreme measure of incurring an amount of debt never before undertaken by any colony, with a population of less than a quarter of a million, would be a proceeding, in my opinion, utterly indefensible. Sir, I may ask what is the state of the Provinces, that we should be called upon to take this extreme measure? I perceive that a notice of motion has been submitted to enable Otago to borrow a sum of £650,000, to be applied to one of the very purposes indicated in this Bill, and which honorable members from Otago assure me they are prepared to immediately carry out. Again, before those who lately sat with me on the Committee to consider private Bills, there was laid a similar scheme on behalf of the Province of Canterbury; and we were assured that the money was ready, and that nothing was required but the consent of the Legislature to expend it. If we go to Nelson we shall find that there they only await the signature of the contractor to enable them to commence the Nelson and Westport railway. Therefore, as far as those Provinces are concerned, it appears that there is no necessity for us to adopt this extreme measure. If we go to Auckland we shall find that there is no very great depression in that Province. We certainly do hear occasionally about the unemployed, but it is well known, in fact, I may say, I was assured, on very high authority, that at the time the cry was

loudest for employment in that Province, any man who was able and willing to work could obtain it at 4s. per day, but that by many persons the offer was indignantly refused. In my own Province, Hawke's Bay, in Taranaki, and, it may also be said, in Wellington, there is no depression so great but could be overcome by means of the undertaking which is now being matured in England: I refer to the loan of one million sterling. But what are we now asked to do? We are asked to commence a system of borrowing to the extent of between £10,000,000 and £13,000,000 sterling, a system to be carried on unremittingly for a period of ten years, without cessation, until a yearly sum of from £600,000 to £700,000 in addition to the £300,000 to £400,000 we now pay is sent out of the country for interest on this borrowed money every year. Many persons, no doubt, will say, "But a great proportion of the thirteen million will be paid in land;" but it will be urged, on the other hand, that that will be a very expensive mode of payment. And under what circumstances are we asked to adopt this measure? Have we appealed to the country, or have we heard a general desire expressed that we should take this course? On the contrary, I have heard of no such desire; I have looked in vain in the colonial press for telegrams announcing the expressed desire of the people that this course should be adopted. Again, this gigantic scheme is proposed by a Parliament which is about to become defunct—not by a Parliament which has been returned upon this question, but by a Parliament whose functions have almost ceased. Sir, I cannot conceive anything that, under the circumstances, would be more improper or unjustifiable than the adoption of this measure. I do not believe it is the wish of the country that it should be adopted. As I have already stated, I see no evidence justifying that inference, but, on the contrary, I hear that a reaction, in regard to the subject has taken place, and I believe that if the question were remitted for the consideration of the country, we should never hear anything more about the twelve million loan. What are the facts of the case as regards Nelson? That Province has for years past set its face against immigration. I do not mean to say that I justify that decision; I merely state it as a fact. It was reported by a gentleman for many years connected with the Province, that, for years past, the introduction of immigrants had been steadfastly opposed by the people generally. In Canterbury, we hear that a meeting, consisting of two thousand men, was called recently, all of whom pleaded want of employment. Is it, therefore, at all probable that the people of Canterbury will encourage the introduction of immigrants? I think not. During last year we sanctioned the grant of £30,000 to the present General Government, for the construction of roads in the North Island, and a short time ago I had occasion to call attention to the way in which that money was being dealt with. As far as I could then ascertain, about the half of that amount had been expended, and, in looking over

the papers on the subject, I came to the conclusion that a great deal of even that small sum had been unwisely expended. I dealt lightly with the matter, because I did not wish to say anything unpleasant to the Ministry; but, on looking over the papers on the table, honorable members will see that a great proportion of that money has been wasted. Now, Sir, if that be the case in regard to a comparatively small sum of money, what must we expect if such vast sums of money as are referred to in this measure should be placed in the hands of Ministers. The small population of New Zealand is absolutely unable to deal with such sums. I turn to the calculations of the Colonial Treasurer, and I must confess that they are not reassuring. He says, speaking of the proceeds from land:—"Is it unreasonable to estimate that from all sources, of sale, letting, and licenses, during the ten years, such sums as the following will result;" and then he commences by estimating for the first year £5,000 and for the tenth year £130,000. I think it is most unreasonable. Again, when speaking of the revenue to be derived from railways, he estimates that the return will be from the fourth year £20,000, and, after setting forth what he considers the returns will be in each succeeding year, he concludes by estimating that, for the tenth year, they will amount to £250,000. Sir, I do not think that our experience of other colonial railways justifies us in placing the least reliance upon such estimates. In fact I may say, by way of parenthesis, that I perceive that the net returns from 200 miles of railway in New South Wales, in the year 1868, only amounted to £5,000. On the subject of additional taxation, I find the Colonial Treasurer says:—

"I do not desire to express an opinion that any such taxation will be rendered necessary by a railway system in conjunction with immigration on a large scale. My conviction is in a contrary direction; but, looking to the worst, what I wish to maintain is, that the fear of a mild and moderate future addition to the taxation should not be placed in competition with the great effects which will follow the construction of railways, through the employment they will afford, the immigration that will accompany their progress, the facilities they will render for bringing produce to market, and the aid they will lend to the general settlement of the country."

And, in two or three other parts of the statement of the Colonial Treasurer, I find there are very strong indications, which it is not possible to misunderstand, and which point to a very large increase of taxation, to be borne, as it would appear, by income and property. With regard to the introduction of immigrants, I cannot conceive that it is in the power of a colony, situated as this Colony is, to absorb, year by year, the large number of immigrants which are proposed to be introduced. I cannot entirely gather from the financial statement, or the Bill before the Council, what is the amount of immigration which is proposed to be brought into this country, but I see that the Hon. the Premier contemplates 15,000 a year. I should like honorable members

to ask themselves what probability there is that that such a number can, year by year, be absorbed by this Colony? Upon this subject I desire to allude to what has been said in another place. I would say here that I have heard attributed to the members of this Council that they owe many of their views to what they hear in another place. I own to the impeachment; I listen with great interest to the debates in the House of Representatives, and frequently thereby acquire information which I could not otherwise have obtained. What I refer to was a statement to the effect that, in the Colony of Queensland, after a system of immigration such as is now proposed, there existed two camps, each of which contained 5,000 unemployed men. Is that the kind of thing we desire to see introduced into this country? Then, Sir, seeing that I do not believe in this financial scheme, I ask myself the question, how far the Government themselves believe it? I suppose it must be assumed as a matter of courtesy that the Government, as a whole, believe in it, but I trust it will not be considered discourteous on my part if I look at the probability of each individual member of the Government believing in it. Let us begin with the Premier. What have been his ideas on the subject? I have made a little extract, which I will read to the Council, upon that point. Two years ago, the Premier, speaking on the question of borrowing, said something to this effect—I have not copied the exact words:—"We can raise the means of paying interest on new loans by taxation in a variety of directions, which will ultimately amount to confiscation, and also to the seizure of the Middle Island land fund, and also to withholding from the British creditor the finality of a general confiscation." That was the opinion of the Premier two years ago, and I do not think we need draw much upon our imagination to believe that he is not so complete a convert to the opposite view as to believe in the borrowing of twelve or thirteen millions. Take the next member of the Government, the Defence Minister. We all know that he has very great spending power, but I have never heard that he had any very great admiration for borrowing, and if we look at that honorable gentleman's calculations for the last year, and all that took place upon the subject, we cannot have any great confidence as to the result of any financial policy which he might recommend. Last year, in spite of all the opposition which I could offer in this Council, by earnestly endeavouring to impress upon the Government that the sum which they proposed to appropriate for the defence of the country was insufficient, they insisted upon devoting only £150,000 to that purpose, but now confess they have spent double that amount. I pointed out that such a sum was altogether inadequate. I advocated, as far as was possible, the borrowing of a million of money—and they now ask for £750,000—but I went a little further, and advocated the imposition of a tax for the purpose of meeting that special war expenditure; that feature I do not see yet, but we shall probably see it

shortly. I now come to the members of the Government who are in England. Can we conceive it possible that those honorable gentlemen were acquainted with the course which is now being pursued here? I think, if we look at the very last telegram which has been received from those gentlemen, that it is impossible to disguise from ourselves that they had no idea of going in for borrowing so large a sum. I now come to my honorable friend the Colonial Secretary. I was not so happy as to gather from the speech with which he opened this question, whether or not he went entirely in that direction; but we all know that it is sometimes the painful duty of a member of a Government to argue strongly in favour of a course which he does not concur in. Knowing what we do of my honorable friend the Colonial Secretary, of his clear logical mind and his great administrative power, I find it impossible to conceive that he goes heartily with the scheme. Then there is my honorable friend the Minister of Justice, a worthy disciple of that great apostle of colonization, Mr. Gibbon Wakefield. I remember that my introduction to that honorable gentleman was in the first session of Parliament, when great colonial questions were argued, and being much struck then, as I have frequently been since, with his wide and statesmanlike views. I find it impossible to believe that, with his comprehensive mind and such statesmanlike views, he can believe in this scheme. I hope it will not be considered impertinent on my part to thus allude to what I conceive to be the opinions of each individual member of the Government. I must acknowledge that there is one honorable member of the Government who probably does believe in it, and that is the Colonial Treasurer, for when I bear in mind that it is not very long ago since that honorable gentleman wrote a pamphlet proposing that the sum of thirty millions should be borrowed to pay off the national debt of England, I can readily conceive that he believes in the borrowing of twelve millions. I will not detain the Council at any greater length. I have endeavoured to show, as concisely as possible, why I differ from this scheme, and, as I generally do in such cases, I shall propose an alternative. That alternative is very simple in this particular case. It is to honestly and loyally accept the measure which has been so well carried out by those two members of the Government who are in England, Mr. Dillon Bell and Dr. Featherston. I believe it is quite possible, acknowledging that there is a certain amount of depression in the Colony, that it may be necessary to apply a slight stimulant, but I think that that could be done by the measure which has been propounded to the British Government, and which has been acceded to. I believe that the expenditure of one million during the next five years will give all the stimulus that is necessary to the Colony in its present state. The country is already rapidly emerging from the state of depression into which it has been plunged. When we look to the fact that our staple commodity, wool, is already nearly double the price which we obtained for it two years ago; when

we look at the fact that, by means of boiling down and meat preserving, we are able to get rid of our surplus, and introduce a better class of stock; when we see that Otago and Canterbury are raising grain to the extent of millions of bushels a year, for which there is every prospect of a profitable market; when we look at all these things, I feel certain that if we appropriate, not twelve millions, but one million, at the rate of £200,000 a year, as proposed by those members of the Government who are in England, to purposes of colonization, we shall have done all that is necessary for us to do this session. If we find, in the course of two or three years, that we can persevere with advantage in the course which we have commenced, it will be easy for us to enlarge our operations; but if, on the contrary, we take this awful step of rushing into a debt which is almost beyond the imagination of the small Colony in which we dwell, I say that our conduct is unjustifiable, and can best be described by the words which I have heard applied to it by the Superintendent of Auckland. My honorable friend the Colonial Secretary objected the other day, and perhaps very properly, to my using the words "gambling and speculative" in connection with this scheme. I beg to offer every apology to my honorable friend if I then, or upon any other occasion, made use of language which could be considered as in the least degree offensive to him, because I believe that if there is one gentleman in whose honesty and upright statesmanship we can rely, it is my honorable friend the Colonial Secretary; but to show that I was not alone in what I stated, I will take the liberty of reading the words of the Superintendent of Auckland, who premised by saying that he was the representative of one-fourth of the European population of this country, and two-thirds of the Maori population:—

"We are bound to contemplate the possibility of failure. I ask to be told what is our position in case of the failure of this scheme? It seems to me there is only one answer, and that is, utter and irretrievable ruin to the Colony. It may be the scheme will not fail, I hope it will not—I do say there is a possibility, and every thinking man must admit the possibility of the failure. Well, how do you provide against that possibility. I say I cannot go in for unlimited loo like that; let me know the limit, and then I know what I am playing, and I know what I can do. It may be utter ruin or it may be a great success. I cannot play for such enormous stakes."

I think that the few remarks which I have made will be sufficient to convince honorable gentlemen that, in opposing the second reading of this Bill, I shall not be actuated by any factious opposition to the Government. I have spoken from pure conviction. I have, like all honorable members who hear me, a deep stake in the country; and here I may say that whenever I have spoken to friends outside of the Council, I have been met by this ominous observation, "Never mind, it will give a great impetus to the country, and we shall be able to sell out." I am rather stealing from the speech of my honorable

friend Mr. Gray in repeating this, but I have no doubt that many honorable members have had similar remarks addressed to them. I think the arguments utterly unworthy of us, and beg to move, as an amendment, that the Bill be read a second time this day six months.

The Hon. Colonel KENNY.—Sir, I rise to second the motion of my honorable friend. It would seem that our ideas run much in the same groove, for I must also express my regret that I should have to act in opposition to the Government on this occasion, because it is my desire generally, so long as I can do so consistently and conscientiously, to give a loyal support to the Government of the day. But, on an occasion like the present, I am sorry to say that it is quite out of my power to go with them. Although, Sir, I cannot support the measure before the Council, it is not my intention to charge its originators with empiricism, and recklessness, and political dishonesty. Such remarks have been made by persons outside these walls, but to my great surprise, notwithstanding the utterance of such sentiments, they somehow or other find it consistent on their part to give their countenance to the Ministry. In regard to myself, I can only say that if I had the disposition to use hard terms of censure and reproach, my personal feelings towards the honorable gentlemen opposite, who occupy the Government benches, would be almost sufficient to restrain me. If those honorable gentlemen do really go cordially with the policy of the Government, I am constrained, from what I know of them, to believe that they do so from a sincere conviction that it will not be injurious to the interests of the Colony. If, however, I know anything of the political temper of those honorable gentlemen, and of the characteristics which distinguish them, of which my honorable friend has just spoken, I am persuaded that they would be more at ease if they were at this moment forwarding a policy less brilliant but less hazardous, a policy less novel and striking, but more moderate and more practicable. Sir, I find it extremely difficult to gather up the threads of thought which have been suggested by this great financial scheme, without recurring to the remarks which have fallen from others both in this Chamber and elsewhere; nevertheless, I shall endeavour, as far as possible, to avoid repeating any of them. I may say that former speakers, as my honorable friend has already stated, have spared me a large portion of the task of analyzing, and criticizing, and pronouncing judgment upon the policy of the Government. But, notwithstanding the feelings of alarm, and distrust, and dismay, which have been expressed by several honorable members, as to the practical working of this scheme, they have, nevertheless, stated that they intend to support the second reading of the Bill. I am free to admit that they did so with the reservation that they proposed to introduce certain amendments in Committee—but it was in a very hesitating tone, in a very half-and-half kind of way, that they made this reservation. To use the expression of my honorable friend Mr. Waterhouse, they were not heart-whole in the

matter. Certainly I do not believe that they are heart-whole in the matter, and I base that impression on the peroration of the speech of my honorable friend Mr. Waterhouse. I regretted very much the words which he used. They were to the effect that he hoped the Ministry would accept those amendments in a friendly spirit, that then they would go to the other House, where they would be considered, and possibly accepted, but that, if they were rejected, he would bow to the decision. All I can say is, that I hope the Council will do nothing of the kind, and that if honorable gentlemen claim any sincerity for the course they are taking, they will go through with the matter. Sir, I shall now make a very few plain observations upon the measure before the Council, not, however, in reference to its details, as that would be only wearisome to the Council, and could not possibly throw any fresh light on the subject. I will state a few objections which I have to the measure. I object to it, in the first place, because it is not one of those sound, healthy measures which has to struggle, as it were, into light and life. It is a measure which the Government have had no trouble about, no opposition to overcome; a measure in which they have, unfortunately, appealed to the self-interest of all, and to that appeal, I regret to find, all, with very few exceptions, have responded. I object to the scheme because it is unsuitable to the condition of the Colony. It is aiming far higher than we have any right to do; but it is all of a piece with the pretensions of the Colony. We must have everything. No sooner had we got steam communication but we must have railways and telegraphic lines. Not content with these and other luxuries of a high social condition, we must next, forsooth, have a submarine telegraph. Nothing is beyond our powers, nothing beyond our aim, not even a loan of ten, or twelve, or fifteen millions of money, for no one seems to know the precise amount. I say that all this is utterly inconsistent with the status and position of the Colony. It has been said that the Colony is suffering from depression, from chronic disease. If that is the case, I can only say that violent measures are not the proper remedy. I think that the proper cure should be natural, gradual, and not violent, and if the remedy proposed by the present scheme is not a violent one, I do not know what is. I also object to the scheme, not only on account of the circumstances I have stated, but because of the peculiar character of our constitution. I think that such a measure might very well have been introduced into a colony which was one united whole. It would not have been so objectionable if the abolition of the Provinces had first taken place, and if the waste lands of the Crown had been resumed and recognized as general colonial estate. Then we might have honestly gone in for borrowing, because we should have possessed assets. But I venture to assert that our estate is already mortgaged; and, to my mind, nothing can be more unjustifiable than the setting apart of land to the value of two and a half millions in furtherance of

the present scheme. It appears to me that this is an abstraction from an estate already under mortgage. It is a security for money already borrowed. (No.) I shall be very glad if any honorable gentleman who says "No," will get up and show that it is not.

The Hon. Mr. SEWELL.—The only amount secured on the land fund, that I am aware of, is the first loan of £500,000. No part of the consolidated debt is charged on the territorial revenue.

The Hon. Colonel KENNY.—Sir, whatever the honorable gentleman may think, I am quite sure that the public creditor will think so. I conceive that the Imperial Government has given a guarantee for a certain sum of money upon the security of the Colony; and I want to know what other certain security or estate the Colony has, because we admit that our revenue is in a state of decline. The Colony has got no other certain estate. That is the point at issue. The honorable gentleman says that the Colony is perfectly free, and has no incumbrances: I say that it has incumbrances, and people must judge between me and the honorable gentleman. Then I entirely agree with my honorable and gallant friend in what he stated—that the use of the million loan, and the application of it as guaranteed by the Imperial Government, would have been quite sufficient for our present purposes. While upon this subject, I would like to call the attention of honorable members to our position this time last year. They will remember that at that time Native disturbances of a very serious character existed, and there were military operations of a very critical character being carried on. There were telegrams of an alarming nature coming in every hour. The most serious disasters had occurred and were still occurring. We were in a most critical state. Everybody must remember the state of the Colony at that time. Now, if anybody had prophesied that within twelve months from that date there should have been, if not perfect tranquillity, security for life and property—that those Native disturbances should have been allayed, and that the Imperial Government should have, within twelve months, come forward to grant a loan of one million of money, I say, without fear of contradiction, that there is not a Minister, not a member of the Legislature, or a person in the Colony, who would not have thought it a most unexpected and happy circumstance. We are about to realize those unanticipated advantages, and now we are professing that we want some twelve millions of money. The whole thing is utterly inconsistent with our professions and our actual position. First we are very poor, then our condition is so very buoyant that we can afford to spend a million a year. I say we are acting in the most inconsistent manner. Sir, having touched upon this happy change of circumstances, it is only due to the Government, —and I do it with the utmost cordiality—to say that we do certainly owe them a debt of gratitude for what they have done in the direction of pacification. I think every honorable member

will agree with me that a very great deal of credit is due to the Government for the situation in which they have placed us. But to return to the subject of the one million loan. Sir, I think the object with which that million loan has been guaranteed is being lost sight of. At present it seems to be a question whether the Government will take it or not. That million of money, without doubt, was intended to be expended solely in the North Island. Depend upon it, the Home Government did not intend that it should be spent in bringing immigrants to the South Island, nor did they think it necessary, in order to pacify the country, to spend money in making roads there. It was intended to be expended in the North Island in making roads and promoting immigration, with a view to the pacification of the country, and it will be a breach of faith with the House of Commons, who voted the money, to attempt to use it in any other direction. I may say, in passing, that Northern members opened their arms to Ministers, and felt perfectly satisfied that they would receive great good under the proposed scheme; but I say they are not getting as much as if they trusted to the arrangements of the Imperial Government. The granting of money for the making of roads and for immigration is simply what we have a right to expect from the Imperial Government, and I prefer to take the million loan and be satisfied with it for some time to come, without contracting further liabilities. I may say, with reference to the advisability of carrying out the Ministerial scheme, that an enormous pressure will be brought to bear upon the Government, and which they will be totally unable to resist. The Province of Otago has already spoken out. The Hon. Mr. McLean, the other night, made a very eloquent speech, full of fresh ideas and originality, which, I am sure, every honorable member listened to with great gratification; but most assuredly he spoke out. Otago is a power in the state, and will make itself felt, and, as I said the other day, Otago, acting in conjunction with another powerful Province, will carry everything before it, and dictate to any Ministry. I defy the present or any other Ministry to resist it. If they chose to act together in the Southern Island they could crush the Northern Island. What Ministry could resist such pressure as that? I say that it is utterly impracticable to carry out any policy if the Provinces, constituted as they are now, chose to resist it. What is the difficulty of which the Government has had to complain for years past? What mean those allusions to log-rolling, and what are those allusions to pledges and promises of conditional support? Have they any meaning? Are they true or false? You have heard them publicly and privately, and have seen them stated in print. Sir, I believe in them; I believe we see the effect of them from day to day during the course of our legislation. Now, there is one other point to which I wish to refer. I am afraid I separate myself sometimes from other colonists in the views I take—that it is assumed that I do not sympathize with them;

but such is not the case. I say things which others hesitate to say, and perhaps I put myself in a false position; but will any honorable member deny that the Legislature of the Colony, and the people of the Colony, are incessantly giving expression to sentiments regarding the devotion of our brethren of the great Republic to their "almighty dollar?" Have not the walls of this Chamber, and the other Chamber, rung with charges made against the Imperial Government, with taunts of the selfishness and of the decay of patriotism in our countrymen at home, and of their mammon worship? Well, Sir, I think we had better, at any rate, try and keep our own hands clean from grasping at what we are now doing—grasping at it, I say, not obtaining it, for I believe it is a mere shadow. I think we may all admit that persons who have come to this Colony have generally improved their condition: some have risen to the position of Ministers, others have taken their places in the Legislature of the Colony, others have become merchant princes, others have obtained princely estates; and I think, whatever we may say about it, we must admit that, more or less, everybody in the Colony has probably bettered his condition; at any rate, is now in as good a position as he could have possibly expected to be at home. And do we take these things as our reward; do we take them as our merited desert? No, Sir, it is not the possession of these advantages that we should resist. In the order of Providence we have been placed here and have been intrusted with an inheritance, as trustees for others. We are bound, whatever blessings we may enjoy ourselves, to take care that this country is not rendered incapable of access, or unfit for occupation by our fellow-countrymen at home, and others who may choose to follow us. By taking the course we are now doing, I am afraid that we are holding out a sorry prospect for the future. Having said thus much, I have very little more to add. I am about to take a part which will consign me to the ranks of, I fear, a very slender minority—of what will be called by the multitude, I have no doubt, a narrow-minded minority—a minority incapable of entering upon a large and comprehensive scheme—without the foresight to conceive the brilliant harvest which is to be reaped. Well, Sir, if this Bill does pass, I hope it may be successful; and if it is, I shall, nevertheless, not regret that I stood in the ranks of the minority who have, like myself, acted from public motives and with an honest purpose. But, Sir, should the scheme be unsuccessful, should a day of reckoning come—a day of reckoning following upon failure and disaster—what then is to be done? I suppose everybody will cast the blame upon the Ministry who introduced the measure, or upon the Ministry who failed to carry it out efficiently and prudently. As was the case with the three million loan, somebody else will be blamed. But I will ask, in anticipation, who will make the measure law? I say, Sir, every one of us will hereafter be responsible, in the action we are personally taking and in the vote we give, for whatever may ensue.

It is no use to cast the blame upon the Government or any one else; each of us is individually responsible. Sir, some years ago, an eminent member of the other branch of the Legislature, now no longer sitting there, in the course of a very brilliant and eloquent speech, referring to our relations with the Native race, and the apprehensions that were then entertained in reference to those relations, said, "The sword of Damocles is hanging over the Colony." On a recent occasion, the Hon. the Colonial Secretary also made a classical allusion. He implored the Council, in view of the great remedial measures, of the great pacificatory tendency of the policy the Government was introducing, not to "cast its sword into the scale." I shall make an appeal to the Council, but an appeal much more homely, though, I think, a good deal more practical. Sir, the fate of the Colony is trembling in the balance. In one scale there is the Bill before us, weighing down, as I think, every prudential consideration. I appeal to the Council to cast its full weight and influence into the other scale, ere the balance turns irrevocably and it is too late. I have heard, Sir, that if this Council takes a firm and independent attitude on the present occasion, it will prove its death warrant. I say, let it be so. At all events, at all hazards, I earnestly entreat the Council to do its duty, and through this crisis to stand—as I believe it can—and as no other earthly power can stand—between the Colony and its ruin.

The Hon. Mr. SEWELL.—Sir, I have listened with careful attention to the speeches which have been delivered in the course of this debate, and I may say I have been much struck with the ability, moderation, and spirit of forbearance towards the Government on the part of honorable members who are opposed to this measure. Amongst others, I have listened with great interest to the speech of my honorable friend who has just sat down, and acknowledge the great courtesy with which he has spoken of myself and of my colleagues, his general desire to support the Government, and the friendly tone in which his speech was couched. I am sorry my honorable friend has come to the conclusion that he will support the amendment, that the Bill should be read this day six months. I am sure he has seconded the amendment in the most conscientious spirit, and in the discharge of what he believes to be a grave responsibility. I can assure him that I entirely sympathize in that feeling, as does also my honorable colleague. Both of us feel deeply the responsibility attached to the action taken by the Government of which we are members, and to our own individual votes as members of this Council. I do not think it possible to regard this purely as a Government question. It is not a question whether or not we, as members of the Government, shall meet with support from this Council. That is but a question of a day, and, whatever the result, the effect will pass away; but our interests are bound up in the result of this measure as much as those of other members of the Council. We participate in the anxiety

felt by the Council generally, having regard to our common interests which are at stake—a feeling of anxiety which is natural and in which we must share; for although we might be gratified, for the time, in carrying a measure which is a leading feature of the policy of the Government, we must remember that in carrying that measure we are placing on the Statute Book a law the execution of which may pass into the hands of others who may succeed us in the administration of the affairs of the Government, and we may, perhaps, on some future day, have to regard this measure from an opposite point of view to that from which we are now looking at it. That is a motive which must weigh with us personally, not merely as members of the Government, in pressing the measure upon your acceptance. A Government does sometimes ask from the Legislature, fully confident of the honesty of its own intentions, powers in themselves dangerous: it does so, forgetting, for the moment, that those powers may pass into other hands. I should be influenced by considerations of that kind in not giving my support to this measure if I anticipated any such results as likely to flow from it which are prognosticated by its opponents, and they incline me to listen with deference to those counsels of caution and moderation which honorable members on the other side urge upon us in a friendly spirit. That is the spirit in which I shall approach the discussion of this question. There is a common feeling of anxiety amongst honorable members as to the administration of the powers which we ask the Legislature to place in our hands. I have myself shared in that feeling. The question is one which has engaged the serious attention of the Government; and we have looked at it with a view to surround this measure with such safeguards as we can devise. Any one who looks at the measure candidly will acknowledge that such has been the spirit in which we have dealt with it. Such safeguards have been proposed in various forms—Will you place the administrative powers conferred by this Bill absolutely in the hands of the Government? Will you deprive them absolutely of all controlling power, and place it in the hands of an independent authority—an independent board? After giving the subject the most mature deliberation, we have decided upon rejecting any such proposal, and, I think, with the general assent of all parties in the Council, in the House, or out of doors. Such a power should not be placed in the hands of any authority independent of the Government and of this Assembly. We believe that the best form under which these powers will be administered will be that of an authority responsible to this Assembly. We believe that the administration of these powers would be best lodged in the hands of responsible Ministers—a body responsible to the Colony and to the Assembly. It will be seen, by any one who will look at the Bill, that express provision has been made in it for the appointment of a specific functionary, whose duty it will be to supervise its operation, and who will be responsible to the Assembly,—who will have to account for all that

is done, but who will be surrounded by persons of skill and experience in these matters, and will thus be a guarantee to the public for the proper execution of these powers. Sir, I shall not attempt to follow honorable members who have spoken *seriatim*, but I will, as far as I can, classify what I consider to be the objections raised to the proposed scheme.

The Hon. Colonel KENNY.—Will the honorable gentleman, in his remarks, touch upon the question as to the possible reproductiveness of these works.

The Hon. Mr. SEWELL.—I am now speaking on the question of administration, and not as to the reproductiveness of the proposed works. One doubt expressed has been as to the safety of placing the administration of this measure in the hands of a Government which cannot offer to the Colony a sufficient guarantee as to its administrative capacity for undertaking these works. It is to supplement any deficiency there may be as regards administrative capacity, that we propose there should be a Minister appointed specially charged with those duties. It has been hinted by one honorable member that this measure has been brought forward with an eye to the hustings. Sir, I do not think that the Government is fairly chargeable with motives of that kind. Had they withheld from the Legislature the full particulars of the proposed scheme, and had raised a hustings' cry, with no defined plans, they might have exposed themselves to such imputations; but they have not had in view any such objects; or, supposing such to be the case, they have not advanced their object by placing before the constituencies a plan which will be the subject of severe criticism, and which, in some quarters, must meet with opposition. No doubt this Parliament is a moribund Parliament. That question was considered by my colleagues; in fact, when the measure was brought down in the other House, it was announced that we were willing to allow it to stand over until a new Parliament had been elected. It was considered, however, that it would be better that the measure should be proceeded with by the Parliament which now is. My honorable friend Mr. Waterhouse, in a very able speech, has referred to many points of detail to which he objects, and upon which he says he shall be prepared, if the measure is considered in Committee, to propose amendments. I can only say that, when he submits those amendments, they will receive from the Government a respectful consideration, with a view to meet them to an extent which will not be inconsistent with the real objects of the Bill. I do not think anything fell from that honorable gentleman which may not properly be dealt with when we consider the details of the Bill in Committee. The most prominent point which seems to have been in the minds of those honorable members who declared their opposition to the Bill, or who looked upon it with disfavour, is the magnitude of the undertaking and the liabilities which it involves. That, no doubt, is a matter which demands grave consideration, and about which

I shall have a word to say hereafter. My honorable friend Mr. Gray said that the measure will encourage wild expectations; that it will create and stimulate feelings and hopes which do arise when there is a prospect of a large financial undertaking. Sir, I think that is not an improbable result. I regard it as an evil, but I am afraid that, whenever we propose to engage in such an undertaking, that will be found to be an inevitable consequence. I do not see how it is possible to avoid it; nor do I think it constitutes a sufficient objection to the proposals of the Government. The same objection might have been taken when it was proposed to construct railways in England. It is an evil which we must expect and be prepared for, and it will effect its own cure. Objections were also made by my honorable friend Mr. Mantell. His main objection was, I think, to the possible effect the measure would have, if passed, upon the Native population. I listened, as I always do to everything which falls from that honorable gentleman concerning the Native population, with great attention; but I could not gather definitely in what direction his apprehensions lay. I understood he was apprehensive of a revival of the evils connected with the old land purchase system, in relieving the Colony of which the honorable gentleman was, in a great measure, instrumental. I think the honorable gentleman has allowed himself to contemplate a danger for which there is no ground. The evils of the old land purchase system have been met by the action of that Court which the honorable gentleman was mainly instrumental in bringing into practical operation, namely, the Native Lands Court; and as long as we carry on our operations in the way in which they are now being carried on, it is not probable that we shall witness any such result as the honorable gentleman seems to apprehend. Sir, I do not anticipate any danger to the country from this measure, so far as it contemplates the carrying of roads into Native districts. The honorable gentleman supposes that the Natives will take alarm at the compulsory powers that will be brought into operation for the purpose of making roads through the country; that, however, is mere imagination on the part of the honorable gentleman.

The Hon. Mr. MANTELL said he felt greatly relieved by the assurances of the Government on this point.

The Hon. Mr. SEWELL.—Well, Sir, it is one of those points on which some anxiety might be felt, and I should have paid the utmost deference to any remarks which fell from the honorable gentleman on the subject; but so long as we continue to conduct our transactions through the medium of the Native Lands Court, I believe we shall avoid those dangers and disasters which we have experienced in former times. There is another point which was dwelt upon by honorable members. It seems to be supposed that this measure is hampered by the negotiations of the English Commissioners. Honorable members are informed to the fullest extent of all that has taken place on that subject; at least, so far as we our-

selves are aware. The information is contained in papers which have been laid before the Council. We do not as yet know, in fact it would be idle to speculate, as to what the result of these negotiations may be. We are so far dealing with the unknown. If it be possible to incorporate into this measure the proposals of the Commissioners and of the Imperial Government, no doubt the Government will be ready and glad to avail itself of them; yet I am bound to say that, however unfortunate it may be, I cannot admit that any unauthorized action on the part of the Commissioners, unless it shall have pledged the faith of the Colony, ought to be allowed to hinder the Legislature from adopting this measure. There has been considerable alarm expressed, and it appears to have been one of the considerations which has produced a feeling of disfavour in the minds of some honorable members, in regard to this measure, lest, by passing it into law, the Legislature would be committing itself to large, wild, and undefined plans, involving unlimited liabilities. Sir, this measure involves no liabilities, no such consequence, unless in connection with other measures which will have to be brought down at some future time, but for which the sanction of the Legislature will be distinctly asked, and which alone will pledge them to incur specific liabilities on account of particular lines. This measure proposes the adoption of a general system for the construction of railways and public works, not the construction of any particular railway or public work. If the colonization of this country had been carried on from one centre and by one central authority, and if we were merely exercising an ordinary legislative jurisdiction in this matter, the Legislature might very fairly have demanded from the Government a measure of a less sketchy, and, to a certain extent, speculative measure of this kind, and required them to bring down their proposals in a specific form for the construction of specific railways; but if the Council will consider that one of the great features of this measure is to transfer the undertaking of these operations from nine different centres, and to combine them under one central system of administration, it will be seen that the proper mode of accomplishing that object is, first of all, to lay before the Legislature a general outline of a plan that shall provide for the conduct of those operations upon a combined system, leaving the details to be supplemented by measures to be afterwards proposed. That is, in fact, the policy, if I may so call it, of the Government in this matter; and it will be observed that this Bill comprehends, not merely the question of the construction of railways, but also a general plan of colonization, including various other public works to be executed throughout the Colony. Speaking for myself in this matter, as I only very recently joined the Government I have necessarily not taken that individual share in the construction of this measure which I should have done had I been a member of the Government for a longer period of time; but I do not, on that account, wish to shrink, even if I could

do so, from any constitutional responsibility to be borne in common with my colleagues. And, before proceeding further, let me say that I think we cannot fail to recognize the very great ability exhibited by the Colonial Treasurer in the construction of these plans. Some honorable gentlemen may differ as to the expediency of adopting them, but I think all of us must recognize the bold, able, and comprehensive manner in which they have been worked out; and I must add that he has shown, throughout, a disposition to submit his plans to all reasonable constitutional restraints which the Legislature may think fit to impose, a disposition which I and my other colleagues share with him. Before proceeding to deal with the particular measure before us, I should like to advert to a matter touched upon by the Colonial Secretary,—I allude to the general financial policy of the Government as distinct from this particular measure. When I arrived in New Zealand, after an absence of five years from political life, I made it my business to make myself acquainted, as well as I was able, with the financial position of the Colony, and I must say that what I learned produced, in my mind, considerable anxiety. I had before me the public accounts up to the end of the year 1868, and I will explain what I gathered from them as to the then general aspect of the financial position of the Colony. My object was to ascertain the actual existing normal state of the revenue and expenditure of the Colony, General and Provincial—I mean, apart from all adventitious sources of revenue, as from money borrowed and so forth. I found this to be the state of things. The expenditure of the General Government for the preceding year appeared to be in excess of the revenue by about £200,000 per year. I next took the provincial expenditure, and found that the expenditure in the Provinces, including public works, exceeded the provincial revenue by about £240,000 per year. Honorable members will understand that I am still speaking exclusive of money borrowed. It will thus appear that, upon the face of the two accounts, there was a deficit of between £400,000 and £500,000 per year. I found that in the Province of Taranaki there was a deficit of about £9,000 a year—the expenditure of that Province having exceeded its revenue by £8,000 or £9,000 a year. In Marlborough there was a deficit of between £4,000 and £5,000 a year; in Southland there was a deficit amounting to between £20,000 and £30,000 a year. That was the state of the provincial accounts, and I confess it appeared to me to present an alarming state of things. Sir, I now ask the Council to look at the financial policy of the Government apart from the particular proposal now under consideration, as it bears upon that state of things. What is our financial position at the present time? The £200,000 per year to which I have alluded as the deficit on the general account is entirely relieved. The revenue and the expenditure of the General Government has been brought to an equilibrium. As regards the Provinces, I find, on comparing my calculations of 1868 with

the accounts of 1869, this remarkable difference in our favour, that whereas the provincial expenditure in the former year appeared to have exceeded the revenue by £240,000, in 1869 that difference had been reduced to about £40,000 per year, including expenditure on public works, which will be greatly relieved by the present measure. The operation of the financial policy of the General Government has been this: First of all, by the annexation of Southland to Otago, the General Government has been relieved of the deficit of the former Province; whilst, by means of the Payment to Provinces Bill, which has passed through most of its stages, the equilibrium of revenue and expenditure in the Provinces of Taranaki and Marlborough has been restored. I point to these things as indicating the healthy action of the General Government policy as regards the general finances of the Colony, and for which I think the Colonial Treasurer and the Government are entitled to take considerable credit.

The Hon. Mr. JOHNSTON.—If the honorable member will excuse me, I would point out to him that, in giving the last estimate of General Government expenditure, he has omitted to notice the expenditure for defence.

The Hon. Mr. SEWELL.—I intended to have called the attention of the Council particularly to that point. The account of the General Government has been corrected by the operation to which my honorable friend alludes—the taking the expenditure for defence from the ordinary expenditure, and providing for it by loan. I entirely approve of that principle. In my opinion it is a perfectly right and sound principle. It was discussed and considered by my colleagues and myself when I was a member of Mr. Weld's Government, and we adopted a similar policy. We proposed to treat the war expenditure as abnormal expenditure, and to make provision for it by abnormal means. This miserable, long drawn out war, or what we call by that name, may yet be prolonged. We can hardly hope that it will be brought to a conclusion in less than five years, which is the period contemplated by the Colonial Treasurer. But these plans of internal defence form one continuous liability, for which the Colony must make provision once and, we may hope, for all, and it is only reasonable that posterity should bear its share of the burden. In dealing with this question it is impossible that I can overlook the fact that the Imperial Government, which offers us this little boon of her guarantee for £200,000 a year for the next five years for colonization purposes, refuses to assist us in bearing what constitutes a far more legitimate claim upon them, the burden of providing for our internal defence. If, instead of offering us assistance towards plans of colonization, dribbled out and hampered with conditions, we had been frankly offered this million of money to enable us to bear our war expenditure, I should have said that it was a just acknowledgment of a moral and equitable claim. I pass on to the measure before us. I have spoken of the improved financial state of the Colony in its present aspect.

Now comes the question as to the future progress of the Colony. After considering the matter in the most careful, dispassionate manner, it seems to me to offer us one of two alternatives. I admit, with my honorable friend Colonel Russell and my honorable friend Colonel Kenny, both of whom have spoken of the better prospect of our affairs, that things are improving. I believe that if we were to do nothing but allow this growing prosperity to operate, the probability is that we shall go on and make healthy progress, trusting to the *vis mediatrix naturæ*. It is possible that such might, if it were practicable, be a more salutary mode of dealing with the subject than by undertaking large operations such as we now contemplate; but I am quite sure that, in order to carry out any policy of that kind, it would be necessary to adopt and rigidly adhere to a system of total abstinence. We cannot bear to embark in little fragmentary loans. My honorable friend Colonel Kenny surprised me by the liberality of his views. Objecting, as he does, to our undertaking a liability of four millions, spread over a period of ten years, and embracing the whole Colony, he tells us that he is ready to face the million offered to us by the Imperial Government; that he will submit to allowing Otago to involve us in a loan of £650,000 on her account; that he is ready to allow Canterbury to plunge into large railway operations—

The Hon. Colonel KENNY.—It was done the other day, on special and unobjectionable grounds.

The Hon. Mr. SEWELL.—We passed a Bill which authorized them to complete a railway. I understood the honorable member to say that he was prepared to allow Canterbury to go on.

The Hon. Colonel KENNY.—No.

The Hon. Mr. SEWELL.—The Province of Nelson is in the field with a proposal to enter on an undertaking involving an appropriation of land to the value of two millions of money for the purpose of constructing a railway from Nelson to Cobden. I believe that at this moment the matter is under negotiation. So that my honorable friend, who shrinks with horror at our proposal to spread a liability of four millions over a period of ten years, is prepared to accept at once, in these little isolated fragmentary operations over which the Colony could exercise no control, a liability little short of that amount.

The Hon. Colonel KENNY.—I do not think that I said anything of the kind; I certainly did not intend to do so, having always opposed provincial loans. I intended to say that, rather than rush into this scheme, I would be content with the Imperial guarantee at the rate of £200,000 a year, and allow the Province of Otago, which has shown a wise administration, to have the loan she asks for.

The Hon. Mr. SEWELL.—I came then to the conclusion that we had but one of two alternatives before us—that of total abstinence, involving the stoppage of all provincial borrowing—but which we know to be practically impossible—and that of the General Government taking this great work into its own hands upon one large and comprehensive system. It was impossible to stand still.

We cannot allow Province after Province to compete with its neighbour. The instant Canterbury proposes a modest loan of £30,000, Otago is in the field with a demand for £650,000, whilst Nelson rushes forward with a proposal involving an outlay of no less a sum than £2,000,000. Do not suppose that when these Southern Provinces have made a start in the race, the Northern Provinces are going to be backward. Is it likely that the Northern Provinces will allow the credit of the Colony to be exhausted in great public works in the South—because it is upon the credit of the Colony alone that any of these transactions can take place—without receiving any share of benefit? We are to permit this, without having the smallest control over these great operations, and without any power of bringing them into one combined system. Sir, I came to the conclusion that the wise and statesmanlike plan would be to put an end to all provincial borrowing for works of this nature—indeed, it is necessary that it should be put a stop to; but at the same time it was absolutely indispensable that the General Government should be prepared to take this work upon itself, that is to say, to take into its hands those functions which have hitherto been administered by the Provinces. We cannot say to the Provinces, “You are to stay your hand,” unless we are prepared, at the same time, to do what is necessary to carry out the objects to which their energies have been hitherto directed. And now let us see what are the classes of works which the General Government propose to undertake. Let us look at the particulars of this plan which the General Government are proposing. They have endeavoured to combine, and, I think, not without success, in one comprehensive plan, those large operations which have hitherto been undertaken by the Provincial Governments. The plan before us contemplates operations for supplying the gold fields with water; for enabling land to be purchased in the North Island; to supply a continuous strain of immigration; to provide for a chain of railways from one end of the Colony to the other, with a view to connect the Provinces with each other. First, as to the waterworks upon the gold fields. I am not so competent to speak upon this subject as other honorable members, but I am told, by persons who are conversant with the matter, that the supply of water to the gold fields is absolutely necessary for the development of the enormous latent resources of wealth which this country possesses in its gold fields. That some private individuals may have lost money in these enterprises is probably the case, and that may be a reason why works of this kind—the necessity of which is admitted by these private enterprises, because people do not embark in them unless with some adequate object in view—should be conducted under the supervision and on the responsibility of the Provincial Governments, at whose instance alone they are to be undertaken. I do not in the least sympathize with those honorable gentlemen who object to the intervention of the Provincial Governments in a matter like this; on the contrary, I consider

that the Provincial Governments should be the parties upon whose motion such works should be undertaken. I believe that there is scarcely anything which is more important for the development of the resources of the country than the direction of water to its right uses. What is said of fire is true of water—"It is a very bad master, but a very good servant." The next object contemplated is the purchase of lands in the North Island. Sir, if we are about to bring people into the country, I cannot imagine that we can apply our money more profitably than in obtaining land, which unfortunately cannot here be obtained except by the outlay of large sums of money in the purchase of land from the Natives. We propose to assist the Northern Island by applying a large sum towards the purchase of Native lands. I differ from my honorable friend Mr. Mantell as to the policy of that measure. I think it is an exceedingly prudent and wise step. It is entirely in accordance with views which I have always entertained. I remember, so far back as 1858, impressing upon the then Government the necessity of borrowing money for the purpose of obtaining lands from the Natives. I think, considering that we have deprived the North Island of that contingent estate to which it had a title under the Constitution Act, by the conditions of the Native Lands Act, we shall only be doing it justice by providing it with means of obtaining land upon which to carry on the operations of settlement; indeed, this is inseparable from any large scheme of colonization, and so long as land purchase operations are carried on through the agency of the Native Lands Court, and with the free will of the Natives, I believe that they are not only free from danger, but are calculated to promote colonization and to produce the tranquillization and peace of the country. I now come to the question of immigration. I entirely agree with honorable members who have spoken of that as the cardinal point in any plan of colonization, because, to my mind, everything revolves around this central point, the bringing of people into the country. It is in the people of a country that its strength and its wealth resides. At the same time I agree very much with what has fallen from my honorable friend Mr. Waterhouse upon this point. Nothing can be more rash than to introduce large numbers of persons hastily and inconsiderately. You require to administer immigrants to a country like this as you would administer food to a hungry or a starving man, in proportion to his powers of digestion and assimilation. Therefore it is that the details of any scheme of immigration require to be very carefully considered. It is, however, impossible, in a measure of this kind, to lay down specific regulations to define exactly the mode in which this work is to be carried on; but I think that we have a guarantee for a wise and prudent system, by providing that it will be only carried on with the consent and co-operative agency of the Provincial Governments, upon whom the responsibility of bearing the cost will ultimately rest. I believe that the Provincial Governments, many of whom are engaged in the

work of immigration, are our best counsellors upon this subject. I shall have a good deal to say upon this when we go into Committee. I need not, however, at this moment, trouble the Council further upon that point. I now come to the question of railways. My individual opinion is that railways are a class of works which should be regarded as ancillary to immigration rather than as primary objects. You must however, in fact, combine the two. The question has been raised whether or not railways are proper kind of works for us to undertake. I think that all persons must agree that, for the great arterial lines through the country, iron must be looked upon as the proper foundation of our roadways, and not ordinary stone metal. Whether we are to apply it in this or that particular form, what the gauge should be, whether we shall have our lines of railways calculated for heavy or light traffic, whether we shall have horse or locomotive traction, are all questions of engineering skill. Different rules may be applied to different circumstances, but that we shall have to look to iron as the great basis for forming lines of communication through the country, no person can doubt. I look upon railways from three points of view. I look upon them as affording temporary employment to immigrants whom we propose to introduce. Though I do not think we should undertake works of this kind simply for the purpose of giving employment, we may, nevertheless, use these works as instruments to provide employment for people until they become permanently settled in the country. I look upon them, also, as means of opening and developing the interior of the country. This is the first step towards settlement. I look upon these works, in the third place, in a political point of view, because they will have the effect, in this Northern Island, of providing facilities for the defence of the country, of opening up Native districts, and bringing the Native race into closer contact with ourselves, and of assisting to remove those causes of discontent and discord which have produced such disastrous results. I look, also, to these works as tending towards that great political object which I think no wise colonial statesman ought to lose sight of—the connection of the different parts of this country with each other by practicable lines of internal communication. I ask you whether a measure which has objects of that kind in view can be regarded as a rash and dangerous speculation? Would not any man of the most ordinary habits of business, looking to this Colony as if it were his own estate, possessing vast latent resources which he desired to develop, consider that these are prudent, rational, sober, business-like objects. But if it is wise to propose to ourselves such objects, we must also count the cost. They involve a large outlay. We cannot undertake the formation of a chain of railway communication, say, from Auckland to the extremity of the Southern Island, without providing for the requisite expenditure. Are we to shut our eyes to that? Let us act as business-like men: if we contemplate doing it, let us look the cost in the

face. Is it extravagant to say that this great work can be done at an outlay in money and land of ten millions? Let it be remembered that we are not going instantly to rush into these operations. Observe, the Government are not asking you to pledge yourselves at once to these operations. There are engineering questions to be considered, which we are to look at as prudent men of business. The Government have roughly estimated that these works may be accomplished at a cost of ten millions of money. That is certainly a very large outlay; but do not let us be frightened about it. My honorable friend opposite (Colonel Kenny) would be willing to allow an expenditure not very far short of four millions on fragmentary works in the Provinces of Otago, Canterbury, and Nelson. Do not be alarmed when contemplating the expenditure of ten millions spread over ten years, and which is to embrace the whole Colony. It is, no doubt, a great outlay, but it is spread over a wide area and a long space of time. It is because this operation is one beyond our ordinary calculations that we are terrified, as it were, at the magnitude of the figures. The honorable member opposite would spend £650,000, £40,000, and £2,000,000 on disconnected works, and is not frightened at the individual items. He is like a man who would plunge into ruinous expenditure bit by bit, but who is frightened at providing a total sum to be administered with wise economy over a series of years. I admit that the total sum is large, and, if it is beyond our reach, we must abandon the proposal. Let us, however, look at the resources of the Colony, and receive a lesson and gather encouragement from the past. We are contemplating operations which are to spread over ten years. It is a decade, not a year, for which we are making provision. Let us contemplate our position ten years back. In 1860, according to the statistical tables, we had a population of 79,000; our revenue was about £464,000; our exports amounted to about £588,000. Now, I desire to call particular attention to the exports, for population is a fallacious basis on which to calculate. In my opinion, exports are a fairer and truer basis upon which to reckon the wealth and resources of the country. Our exports in 1860 were £588,000; in 1870 they had risen to £4,500,000. Our population in 1860 was 79,000; now it is estimated at 250,000. Our revenue was £460,000; now, including the territorial revenue, it may be taken at £1,600,000. Our population has rather more than trebled, our revenue has increased in like proportion, and our exports have multiplied eightfold. If we were now taking our stand point in 1860, and looking forward to the decade then before us, with the population, revenue, and exports as at that time, should we not have shrunk from the contemplation of an expenditure of ten millions of money within that period? And yet we have spent as much. We have spent, in round figures, nearly seven millions of borrowed money. We have, besides, spent the territorial revenue. In the calculations made by the Colonial Treasurer, he contemplates land as available for his pro-

posed operations, and land represents territorial revenue. You have spent, then, in the decade from 1860 to 1870, as much money, in point of fact, as we are now contemplating for this operation; but you have spent it, a large part of it at all events, wastefully in war. Are we then to be alarmed at the future? I do not mean to say that our population, or our revenue, or our exports, are to go on increasing in the same proportion; but is it unreasonable to suppose that our population during the next ten years will be doubled, and that our revenue and exports will be largely increased? The works we are about to undertake will have a great effect in developing the resources of the country. Were we to apply the same ratio of increase for the future as for the past, that would give us an amount at which we should be startled. I do not think that our four and a half millions of exports will be multiplied eightfold in the ensuing decade. That would amount to between thirty and forty millions of money; but in all prudence we may calculate on a great increase. And as no one can doubt that we are as well able to bear the burden which we now have to bear, and that the country is, notwithstanding all the disadvantageous circumstances which it has had to go through, practically as well off, and its prospects as good now as we should have considered them to be in 1860, so we may reasonably hope that our condition at the end of the ensuing decade will not be less favourable than now. No doubt our progress is due in a great measure to the gold fields. I believe the gold fields will still further develop themselves. I do not say in the same proportion, but I believe there will be a steady growth and increase of wealth in the country as its resources become developed. And as to the expenditure we are about to incur, do not let us imagine that the money is to be thrown into the sea—that it is to be wasted, and that no result will spring from it. According to the census of 1868, the population was 226,000, and the annual increase on that population by births over deaths was about 7,000. Is it unreasonable to suppose that, with the system of immigration we propose, we shall double our population in the course of the next ten years. During the last ten years we had an addition to the population of about 60,000 souls by increase of births over deaths. My honorable colleague has just called my attention to a remarkable fact that, during the last ten years, scarcely any money has been spent on immigration. With the large amount of territorial revenue which ought to have been devoted primarily to the purpose of immigration, it is a notable fact that the amount appropriated to that object during that period has been an insignificant proportion. That very fact is in itself a reason why the General Government ought to undertake that work which has not been adequately fulfilled by the Provinces. Sir, there is no doubt that, in contemplating a measure involving so large an outlay of money, we must look with anxiety to our present burden of debt. We are burdened with a debt of

seven and a half millions, and it is in view of that debt that I think the Government has wisely contemplated contracting the amount of money liabilities which it proposes to incur in carrying out these great objects within the smallest possible limits. It is not so important a question whether land shall be made available for these undertakings, as whether we shall burden posterity with additional debt. The Government desires, by this measure, to appropriate to this work the smallest amount of money outlay which can be reasonably calculated. It does not propose to contract money liabilities beyond four millions. The object of contracting what we may call the cash part of this transaction within these limits, is not only to diminish the pecuniary charge upon our revenue, but we have also to bear in mind that our operations must be carried on through the medium of the English money market, and it is important that we should let them understand the full nature and extent of our operations. I hear prognostications as to the effect which may be produced in the English money market by a proposal of this nature. From conversations which I have had with men of business in London, I believe that if we show that we are about to proceed with these works in a prudent, careful, business-like way, the effect will be to raise our credit rather than to diminish it. Rash and wild undertakings would, of course, have a contrary effect; but I do believe that a wise, prudent, well-considered scheme for developing the resources of this country would have a beneficial effect in raising our credit in the English money market.

The Hon. Mr. ROBINSON.—Will the honorable member kindly explain to the Council the whole amount that this Bill will render the Colony liable for as far as the interest is concerned.

The Hon. Mr. SEWELL.—I suppose you will have to pay 6 per cent. on the whole amount borrowed and guaranteed. If the transactions are carried out by means of guarantees, they will, I suppose, be for a limited period of time, and be given upon certain conditions. Whatever interest you may be called on to pay will be reduced by the returns from these works, and by the application of territorial revenue or land, which is the equivalent of revenue, towards payment. Whether or not land should be allocated or appropriated for purposes of this sort it will be premature for us now to discuss: the Legislature will determine that point when specific plans come down for their consideration. Sir, I have already spoken of the negotiations of the Commissioners in England, and I do not know that I need add anything on that point. It does not appear to me that these negotiations need hamper us in now proceeding in this matter, and doing that which we think the condition of the Colony requires us to do. We shall have every possible regard to the action taken by the Commissioners in England, and we shall take care that there shall be no imputation of breach of faith on the part of the Colony towards any party. The only question that can possibly present itself on that point will

be, whether or not we shall accept the offer made to us by the Imperial Government. It would be absurd to speak of that as if it were a question of good faith. The only question is whether or not we shall accept the boon offered to us by the Imperial Government, on certain conditions, which, in themselves, imply the option whether to accept it or not. I do not believe the Colony would decline the offer without grave reasons. But, if circumstances should compel us to do so, care will be taken that it will not be attended with the slightest imputation that the Colony has been guilty of any breach of faith. The same thing happened in 1863, when Mr. Reader Wood entered into an arrangement with the Imperial Government for the guarantee of a million loan. It was found hampered with conditions which the Legislature could not comply with. The Legislature gratefully acknowledged the offered assistance, but was obliged to decline it, and did decline it. No one has for a moment cast a doubt upon the good faith of the Colony in that matter. Sir, I have to apologize for occupying the time of the Council so long. A great deal has been said as to the inevitable risk, the probable waste, and the possible failure of the proposed plan. It may be so. I do not believe that any plans that were ever undertaken were carried out without, at all events, partial failures and some disappointment. I am not sanguine enough to say that we are going to realize all the expectations formed of this plan; but it does appear to me that if the result of these operations shall be, as I believe it will be, that at the end of ten years we shall have doubled the population of this Colony, shall have opened the interior of the country for settlement and developed its resources, and united the Provinces into one homogeneous whole, governed from one political centre, we shall have undertaken an enterprise which, looked at with reference to the expenditure, will be attended with beneficial results even in a commercial point of view. There are some honorable members who are anxious about this matter, looking upon it from a constitutional point of view. They see in this Bill concessions made to provincial authorities, overstepping that control which the General Government, in their opinion, ought to reserve to itself. I have not the smallest sympathy with those honorable members. No one more heartily than myself desires to see the combination of the Colony under one central authority; but I am persuaded that we have, in this proposal, taken the first great step towards the accomplishment of that end, by assuming to the General Government the direction of the work of colonization, which is, in my opinion, the first indispensable condition for uniting the Colony under one constitutional government.

The Hon. Mr. BONAR.—Sir, as no other honorable member seems prepared to go on with this discussion, I will occupy the time of the House for a few moments with reference to this important matter. I think it very desirable that we should get through the discussion upon this measure as speedily as possible, and, therefore, what little I have to say I will say as briefly as

I can. In common with all the other honorable members who have addressed the House, and, I think, in common with the feeling which I believe every member of the Council possesses, I approach this subject with very considerable diffidence, and with a strong feeling of the very high duty which is imposed upon us all by the consideration of such vast measures. I may say, Sir, that, in common with all, I recognize the position in which this country stands at the present time. I feel that we have gone through a very severe, a very trying, and a very harrassing time, owing to the serious Native difficulties which have embarrassed us for some considerable time past. Those difficulties have not only been absorbing our revenue, but also engrossing the entire attention of those who govern us, and those whose time might have been more profitably employed in looking after the great colonizing scheme with reference to this Colony. It has been a serious loss to us in that way, independently of all the pecuniary losses which it has entailed; it has kept their minds from looking to those other great measures which the interests of a young Colony so much require. But, Sir, from personal observation in other colonies very recently, I do not think that the Colony of New Zealand will compare unfavourably with the neighbouring colonies. When I was recently on a visit to that great colony, Victoria, I found universal depression existing there. I also visited South Australia, and there I found that matters were even worse; so that, on my return to New Zealand, I did not look with such a very gloomy aspect at the state of affairs. In fact I felt somewhat encouraged by the prospect of the solution of the Native difficulty. It appears that, at all events for a time, we are, to a certain extent, free of the immediate embarrassment connected with that difficulty; and I cannot allow the present opportunity to pass without noticing some remarks which fell from one of the previous speakers, more especially after the speech made by the Hon. the Colonial Secretary. I think the Hon. Colonel Russell referred to the sad condition in which this Colony had been left under the late administration, and said that now we had been relieved by the present Government from that position. But I think, Sir, he must have forgotten the tribute paid by the Hon. the Colonial Secretary to the previous Government, when he said that, owing to the exertions of those who had immediately preceded the present Ministry, and more especially alluding to my honorable and gallant friend Colonel Whitmore, they had been able to follow up their efforts, and thus bring about the present state of things—that it was owing to steps taken previously that they had been able to accomplish what they had done. I do not desire to enter further into the matter of our colonial differences; but, Sir, I feel very strongly that the measure brought forward, and which we are now asked to consider, is part of that great scheme of colonization which we all so much desire. I think that there can only be one opinion amongst honorable members, that a scheme similar to that presented to us by the

Government is what we require. It may be that we differ as to the extent to which those schemes should be carried, but the promotion of immigration and the encouragement of public works are things which are absolutely essential to the well-being and prosperity of the Colony. Now, Sir, I may also say I feel, in common with some other gentlemen who have spoken upon this subject, that I was a little timid with reference to the large amount of money involved in the scheme which has been brought before us; but, after careful contemplation of that scheme, and after having listened attentively to the remarks which have fallen from both sides of the House, I feel somewhat more reconciled to it. I can recognize that there are difficulties, and difficulties of no ordinary magnitude, in conceiving, preparing, and bringing down to this Council a scheme which would be workable in all its details. I feel, more especially after the speech of the Hon. the Minister of Justice, that the Government are disposed to meet the Council in a frank, fair, and straightforward spirit; and I think it is our duty, as members of this House, to render them what assistance we possibly can in perfecting and carrying out these measures in the same spirit. We should aid them in carrying out and perfecting those details in a manner which would make this scheme such a success as I am sure we all desire it to be. One of the difficulties which was prominent in my mind was one which has been alluded to by the Hon. Mr. Waterhouse, namely, that, up to the present time, the Colonial Government had not undertaken anything approaching to the present scheme. I know from the experience of other colonies that generally in the initiation of these measures some mistakes are sure to arise, and it therefore behoves us to guard in every possible way against the occurrence of such mistakes; and I think that the proper way to guard against those mistakes is to see that the basis upon which we start originally is sound, and that every matter, not only of principle but of detail, is carefully and duly considered—considered not only by the Ministry for the time being, but also by both Houses of the Legislature. In reference to the scheme as at first brought down, the feeling in my mind was that it was not such a sufficiently clear and well-defined plan as I could have wished. I should have desired to have seen some broad scheme laid out; I should have desired, with my honorable friend Colonel Whitmore, to have seen some definite line of railway marked out, of which all the different sections should have formed component parts. It has been termed a main trunk line. You may term it what you like: I merely say one general scheme of the lines proposed to be constructed should be made, so that all the different parts which may be constructed from time to time may work in and form one harmonious whole. Without this I believe there can be no real success. But, Sir, when I come to look more carefully into the Bill—when I hear honorable members proposing to bring forward still further limitations in the Bill, which will require the whole of these matters to be submitted to the

Houses of Legislature before any practical effect can be given to them—and when I find, on the other hand, that the Government come down and intimate their willingness to accept those amendments in a friendly spirit, and that they only desire to see the scheme placed on as practical a footing as possible, I feel more confidence in entering into the matter. If those amendments which honorable members have intimated their intention to introduce in Committee are resolved into a practical shape, if we lay down successfully such a course as will insure the proper carrying out of a thorough system, I feel we shall be somewhat safe in approaching the undertaking which at first appeared to me to be one of unusual magnitude for such a Colony as ours. But I would go further than some honorable members have gone: I would say that, having brought down those amendments, and having made what I believed to be a workable system, and sent those amendments to another place, this Council ought to insist upon those amendments being given practical effect to. That I feel very strongly, because I hold that it is our special duty, as members of this Council, to give ample time for the consideration of such a large and important measure, and that it rests with us, as representing the Colony as a whole, and not representing any individual parts of it, to see what is for the permanent interest of the Colony without reference to any special locality. And, Sir, in considering the whole of these financial measures, I have endeavoured to look at the thing in that way. I listened with special pleasure to one part of the speech of the Hon. the Minister of Justice, and it was particularly that in which he indicated the policy of the Government with reference to these works as being a colonial scheme, and as being the first step towards removing those provincial difficulties which appear to clash with all general matters in this Colony. I feel disposed to give the Government credit for having introduced a measure which is calculated to accomplish that end. I fully recognize the principle that the scheme as proposed to us shall be entirely and wholly a colonial scheme. Another matter which gave rise to very considerable difficulties in my mind, was also somewhat removed by the statement made by the Hon. the Colonial Secretary in his opening remarks, when he stated that the Ministry would hold themselves alone liable to this House for the proper carrying out of this undertaking—that there would be no attempt on the part of the Ministry to shove off the responsibility of the failure or otherwise of these works by saying that they had been referred to Provincial Councils. That was what I understood clearly and distinctly from the Hon. the Colonial Secretary, and that was one point upon which I had felt considerable uneasiness. I thought that any provision in the Bill requiring the consent of those Provincial Councils, might have tended to shunt the responsibility upon them to some extent; and we all know, and I am sure have felt it most deeply, that this system of double government will never answer satisfactorily, and that

where there are two parties to bear the blame, they are always endeavouring to put it upon one another, and thus many things have been done which otherwise would not have been done if there had been one responsible head. This I look upon as being one great feature with respect to the scheme. Now, Sir, with reference to the various propositions which are contained in this financial measure. I would like to comprehend their full intent as far as I can, but I feel that they embrace so many matters of magnitude and importance that it is with great difficulty one can approach them. There are comprised in this general scheme so many different items, so many alterations from the present state of things, that it is somewhat difficult, in a short speech, to thoroughly and carefully consider the bearings of the whole of the matters brought forward; but I shall try, very briefly, to touch upon the different matters proposed. I have already, on previous occasions, alluded to the proposals first of all brought down by the Government with reference to the apportionment of the customs revenue by giving capitation allowances to different places. Upon that subject I shall say no more at present; the proposal has now almost become law. With reference to the defence loan, that I think is very fairly and very properly to be made a future charge upon the revenue of the country. We had hoped, and I think our hopes are about to be realized, that the worst difficulty in connection with that matter had passed away; but still we must all recognize the absolute necessity of being prepared to prevent any recurrence of hostilities: being fore-armed will, to a very considerable extent, prevent the recurrence of such difficulties as we have been labouring under for some time past. I think a wise provision has been made in the course proposed by the Government, and which, of course, is subject to the sanction of this House. With reference to the construction of roads in the North Island, I sympathize very much with what fell from the Hon. Mr. Waterhouse upon that subject. I feel that the scheme as laid down in this Bill is somewhat indefinite, and I trust that, when in Committee, we shall see some fuller restrictions inserted in it in connection with the expenditure of the money for that purpose. I think it is the desire of the Colony and the desire of the Legislature that the works to be undertaken shall be new works, and works which will tend towards the formation of roads through the unsettled districts, and which will also answer a military purpose. This, I think, ought to be clearly stated in the Bill. I do not pretend to possess an intimate knowledge of the working of the administration of the Native question—it is only those who have been intimately connected with Native affairs who understand it; but I have heard from all sides that a very great deal of money has been frittered away, and I think it is our duty as legislators to see that such will not be the case with the moneys which we are about to raise; because nothing will tend to injure our credit more than that large sums of money should be expended without any known result. The next part of the scheme which is alluded to in this Bill is the construction of rail-

ways. I have already indicated generally what my views are on the subject, and I trust the Government will keep a clear course on this matter, and that any scheme brought down to this House will be a comprehensive one, framed apart from all local influences. I do not mean to say, by that, that the representations or the wants of different localities shall not be taken into consideration, as it is essential that they should be; but I think that all local interests should be subservient to the general colonial interests. The main centres of population ought to be connected, but it is not advisable that the Council should enter upon the consideration of those railways until they are satisfied as to the direction in which the general lines will go; in fact, until we have some clear and definite information before the Council as to the scheme to be proposed. I do not object to passing this Bill, with such restrictions as I have indicated; but, in passing the measure, I hope the Council will take specially into its consideration clause 7, which provides that surveys and reports shall be made, and all the necessary machinery put in operation for ascertaining proper data to go upon in entering upon the construction of these railway works, and I look to the Government to bring down, in accordance with that provision, such a scheme as will enable us to deal with this question in a satisfactory manner. I hope, also, that we shall not have brought under our consideration certain minor works until we have the comprehensive scheme before us upon which we can decide. That is one matter upon which the Legislature ought to be very clear. I will not say anything more on the subject of railways at present. I believe that they are essentially necessary for the well-being of the country, and that we can, by the construction of cheap lines, road the whole country at a comparatively moderate expense, and at an expense for which we could not possibly road the country by the ordinary means of macadamized roads, and make it available for settlement. While dealing with this part of the subject, I must allude very briefly to the question of those large payments proposed to be made in land; and upon this matter I feel a certain difficulty, partly, I believe, for reasons very opposite to those felt by other honorable members on the same subject. My idea with reference to payments in land is this: That, by handing over to contractors and large speculators extensive blocks of land, we lock up a large extent of country which might otherwise be made available for agricultural and permanent settlement. That is a difficulty which I would like to see overcome. I am not clear in my own mind as to the propriety of making large grants of land to individuals. I know that the general idea is that, by giving large blocks of land in that way, you will thereby be injuring the class of men who have already invested largely in land, as these contractors will throw the land into the market and realize upon it at a low rate. Now, that is not so much my opinion as that they will keep the land locked up in the hope of getting an increased value from the smaller settlers—a thing which we

ought to deprecate and avoid as far as we can. If we are going to bring immigrants into the country we ought to let our land to them, and give them every facility and every encouragement to settle down and establish themselves amongst us. I will not refer to the question of stamp duties, as it is purely a question of revenue. Then, Sir, with reference to the question of immigration, I think there can be only one opinion, and I will not occupy the time of the Council by alluding to it at any length. I think we all recognize the necessity of immigration in a new country, and that the immigrants we introduce should be of a carefully-selected class. I sympathize entirely with the Hon. Mr. McLean on that point. We might fairly profit by the experience of such Provinces as have succeeded in introducing a steady agricultural class, and I think we should offer such facilities as lie in our power to the class of settlers alluded to by the Hon. Mr. Miller, namely, the small farmers in England who have a few hundred pounds to dispose of, which they could invest to much greater advantage in a country like New Zealand than they could ever expect to do at home. It is perfectly true that, in the old country, there are large numbers of energetic and active young men who cannot find that field for their abilities which would be afforded to them in the colonies, and it is very desirable that we should endeavour to induce as many as we possibly can of that class to visit our Colony and remain amongst us; and I believe it is only by showing that we are conducting the Colony upon a progressive system, and first removing the Native difficulty, that we can accomplish that; because, Sir, it must be borne in mind that the fighting which has been going on in the North Island has operated very seriously against the interests of the Colony in the mother country. I know perfectly well that people at home simply look at New Zealand as a whole. My own friends and many others who write to me all express a hope that I am not in danger of being killed by the Maoris. Now, the getting abroad of that feeling amongst the ordinary classes at home, together with their reading the newspaper reports of the horrible massacres which have occurred in the North Island, must have a very strong effect in deterring immigration to this country. That is one of the difficulties which we have to overcome. Of course, the appointment of an immigration agency at home, and the establishment of a network of agencies throughout Great Britain, to disseminate information with reference to New Zealand, will remedy this to a very large extent. That I hope the Government will devote their special attention to, because I believe, in common with most of the settlers here, that we have in the Colony of New Zealand resources undeveloped which will maintain a very large and healthy population. I think that there is very little doubt that we can offer inducements, both as to climate and resources, which cannot be afforded by the neighbouring colonies. Now, Sir, this brings me to the question of water supply to the gold fields. I find that a great many honorable

members in this House are not so thoroughly acquainted with this subject as I should wish them to be. I can assure honorable members that this question of water supply to the gold fields is one of far greater importance than they may perhaps at first imagine. In speaking with reference to my own district, I may say that, within the last two years, we have had framed an extensive scheme of water supply for our different gold fields, but it has been impossible for us to carry it out, not having the necessary capital with which to start the enterprise. One or two schemes have been started by private companies, and are now doing well. I will just mention an instance of the success which has attended one of those schemes. Some five or six gentlemen subscribed about £1,000 each for the purpose of bringing a water-race a distance of about ten miles into a district where there was a large population. Before that race was brought in a fresh field had sprung up, and the whole population removed to it, leaving the place which the race was intended to benefit entirely deserted. The promoters in question were naturally very much afraid that their work would prove a failure, but when the water came in, and they commenced to work the land, a change took place, and there is now a large and flourishing population on the ground, simply and entirely brought there and settled there by means of the water supply. I can safely assert that that place would have been absolutely deserted, and no gold got from it at all, had it not been for the construction of that water-race. That simply shows what has been done on a small scale, and what can be done on a large scale. There is, at the present time, a scheme being carried on in the County of Westland which, if successful, will bring water to the three principal centres of population, and which will maintain a population three times more numerous than is at present settled in those localities. Those schemes can be made reproductive in a very short time; in fact, as the works progress, they can be made productive, and almost to pay their own expenses, by the right to the water being let here and there along the line of the race. I believe that those races, if judiciously managed, can be made to clear themselves within three years at all events. There are races now on the West Coast which have been paying at the rate of 70 per cent. per annum for the last two, three, or four years, and have supplied water to the miners at very low rates. Under very reasonable calculations new races will pay about 30 per cent. upon the capital. But we cannot get private capital invested in these speculations. Private people will not go to an unknown part of the coast and spend their money in that manner, and therefore it is the duty of the Government to bring in a scheme which will supply the want which I have indicated, and be productive of infinite benefit to the community. I would also say, in alluding to this matter, that, in our part of the country at any rate, water-races will serve a double purpose—they will also act as roads. We have endeavoured, in the works that have been undertaken, to accomplish that at a very trifling expense, as by

digging a ditch to let the water run along, and using the material thrown out for forming a good dry road along the race, the double purpose of opening up the country and bringing in a constant supply of water is obtained. This is an important matter in the district in which I reside. With reference to the purchase of land in the North Island, that, I frankly confess, I am not in a position to give an opinion upon. I leave it to other honorable gentlemen who are better acquainted with the matter than I am. If it can be done with advantage and profit to the state, I shall offer no objection to that part of the scheme; but I do not understand the matter, and must be guided very much by the opinions of those who have greater experience on the subject than I have had. I think I have already expressed my concurrence with the amendments suggested by the Hon. Mr. Waterhouse, as to the restrictions to be placed upon the power of the Government to make appointments, and upon the expenditure of large sums of money on immigration. That the action of the Government in those matters should be subject to the annual votes of this House I think will be agreed to on all sides, and the amendments proposed with that object will, no doubt, be carried into effect in Committee. I must again repeat, that if I thought for one moment that some of those alterations which are about to be proposed in Committee, and which I hope will be insisted upon by this Council, would not be accepted by the Government in a fair manner, I should feel it my duty to oppose the passing of this measure. I therefore trust we shall adhere rigidly to what we honestly feel to be our duty in regard to this question. I will not occupy the time of the Council any longer. I have said what little I had to say upon this matter, and I can only conclude by repeating that I trust the exertions we are now making to carry out this great undertaking to a successful issue will not fail, and I feel thoroughly satisfied that, by the exercise of ordinary prudence and ordinary care, we shall, at the end of the next ten years, see this country in a highly prosperous and healthy condition.

The Hon. Dr. GRACE would support the second reading of the Bill, and he did so with less hesitancy because he saw that the Council was fully prepared to modify its provisions and endeavour, as far as possible, to diminish the risk necessarily attendant upon the initiation of a large measure of this kind. He must admit that when he first read the Bill it possessed for him the greatest possible attractions. It seemed to have the power of dazzling one's judgment, and he had rejoiced in the anticipation of very many advantages which would speedily accrue to the Colony from the many proposals for the development of its resources and the extension of civilization; but, on reconsidering the measure, and carefully wading through its many clauses, he must admit that the largeness of the proposals submitted gave him very considerable anxiety, and he began to feel that it was really impossible to place too many restrictions upon the expenditure of such large sums of money, involving thus largely the possible future of

the Colony. He could not envy any Government administering the Act in its present form, because he felt that great pressure would be brought to bear on Ministers in the exercise of the large patronage which must accrue to them; and he felt, also, that in the many appointments which were to be distributed under this Act, and which naturally became the patronage of Ministers, unless the greatest possible precautions were taken, and the most careful selections made of qualified agents, the beneficial results of the measure would fall through from faulty administration. He thought that whilst a legitimate amount of patronage was left in the hands of the Government under the measure, the greatest possible restrictions should be placed by that Council upon the expenditure of money, and more especially upon the control of such large sums of money as were cited under the head of immigration. It was with great pleasure he heard his honorable friend Mr. Waterhouse propose to submit to the House certain amendments, with the object of submitting the appropriation of that expenditure to the Parliament from year to year, and he was additionally gratified when he found that the Government, with its usual capacity for business, and strong good sense, was prepared to receive such amendments in a favourable manner. What he feared, however, was that the pressure of other business would encumber the hands of the Ministry, and preclude the possibility of their administering this Act with sufficient judgment and care. He had the largest measure of confidence in Ministers, both individually and collectively, but when he considered the varied duties which would devolve upon them, he considered that it would be impossible for them to look after the undertaking themselves, and that some restrictions must be placed on the working of the Act. He would vote for the second reading of the Bill, reserving to himself the power of voting for any amendments that would render the measure more secure and less risky. It was incumbent on the Council to adopt that course, and it was incumbent on the Government to accede to any suggestions calculated to improve the Bill. He might, possibly, have crude ideas with regard to the operation of certain portions of the Bill. For example, with respect to the appointment of a Minister of Public Works: it had been suggested that great pecuniary advantages would accrue to the country from the creation of such an office, but he did not think there was that large measure of safety in the appointment which had been attributed to it. He would be inclined to support a somewhat different system. He would prefer very much to see a non-political board, with a president, possessing, as a board, the sole power of issuing contracts under the Act, and effecting any agreements under it, and he would like to see that the board should be controlled and checked by a certain well-defined influence on the part of the Minister of Public Works. It should work thus: when the Assembly had decided that a certain line of railway should be constructed, the board, free

from all political influence, should have the power in its own hands of determining when and how those works should be constructed, and when that determination had been arrived at, and a contract entered into, the Minister of Public Works should then have the perfect right of control, so far as seeing that the board performed its duty and that the provisions of the contract were carried out. Furthermore, any contracts proposed to be made between the contracting parties and the board should be submitted to the consideration and for the advice of the Minister of Public Works. He wished, in fact, that independent boards should be created in districts for carrying out the works, and if these boards neglected their duty or abused their trust, the Minister for Public Works should dismiss them from office. The board in this Act would be a mere tool in the hands of an able Minister, and they would act and re-act prejudicially upon each other. What he feared was political pressure; and it was reasonable and right that they should take into consideration the enormous risks of political pressure that attached to the administration of a measure of this kind. He could not divest his mind of the prejudice that experience had impressed upon him, nor could he help seeing that it was impossible to free the expenditure of money on public works from political pressure. They should so frame this measure that it would be nearly impossible for administrators to ruin it, or for it to ruin the Colony. As it was now loosely cast, it was full of danger, and possessed not a single anchor of security, except the faith of a Colony in the honesty of a Ministry, which might perish beneath the weight of its own greatness. He had throughout had confidence in the measure, but he had felt some hesitancy in regard to the machinery for carrying it out, and that hesitancy did not become less when he saw, in the management of constitutional government, how necessary it was for Ministers to require and expect from some members an unwavering support, and how natural it was that those services should be reciprocated. He would like to see every possible provision taken for the security of this measure, on the principle that he would like, in public business, to take precautions similar to those he would observe in the management of his private affairs. Although naturally he possessed full confidence in Ministers to conduct the business, there were precautions requisite to be taken as to the proper carrying out of the duties to be performed. With regard to the views taken of this measure by the honorable and gallant Colonel Russell, and enlarged on by the Hon. Colonel Kenny, he would simply say that if they had not sufficient public spirit or sufficient integrity in that Legislature at the present time advantageously to administer those large sums of money, when were they to possess those elements of probity? At present there was a larger amount of intelligence and high principle than was likely to exist in similar institutions twenty years hence. Our people are less excitable, less grasping, more easily managed, and far less subject to the influence of agitators in the Colony than the people of any democratic

institution he was aware of in the world, and if they could not now bring sufficient public spirit to bear on the administration of such matters, when would they be able to do so? They could not resist the democratic tendency of the people. When the people came to realize what their substantial power was in the management of the government of this country it would be difficult to manage, with equal judgment, any measure. That was shown in the present position of America, Victoria, and New South Wales. With regard to the question of management, he must say that he considered that any carefully prepared amendments suggested by the House would be thankfully accepted by the other Chamber unless the Government chose to bring undue and unnecessary pressure to bear; and he could not conceive that any Government would have the courage to do such a thing. The responsibility of the Government was already large, but should the Government bring its influence to bear on another Chamber so as to alter or annul amendments suggested in the Council in the fulness of experience and good faith—if the Government took such a responsibility as that, it would really be unworthy of confidence. In the large influence they possessed in the country, and representing as they did the landed interests of the Colony, they were bound to adhere to their amendments with unprecedented determination. He had been told by one honorable member, who was proverbial for his sagacity, that it was an unheard-of thing for the Council to offer obstructions and delay the business of the country. If they could not delay the business of the session at the present crisis, what was the use of that Council? If they could not make a stand on a matter of that kind, where was the benefit to accrue to the Colony from the existence of that Council? Were they not standing between what he considered the hasty enthusiasm and fever of another Chamber and the people of the Colony? The lapse of time would show that they had dealt with this measure with greater sagacity, and with more experience and prescience, than it had been dealt with in another place. The present Bill was one of those measures which time would mature, and its provisions would ripen in the judgment of the people. He would not have any one consider that the people were deficient in judgment. From his experience of the people—and during his professional career he had been brought into intimate acquaintance with some considerable portion of them—he could say that they were very sound in judgment, and that their natural instincts and their sagacity were sound. He should now, in a spirit of friendly inquiry, glance hastily at some of the provisions of the measure; and, first, as to the construction of roads in the North Island. He presumed that that expenditure must come under the control of the Minister of Public Works. He had already said that it appeared to him that duties too numerous would devolve upon Ministers under this Act, and great responsibility, which would embarrass them in the discharge of their other avocations. He should more

particularly object to roads in the North Island being made under the direction and management of the Defence Minister, because, although he well knew the comprehensive grasp and the intellectual scope of that honorable gentleman's powers, yet the fact remained the same: he was overworked already, and had no time to spare for the supervision of those works. The construction of roads required a special sort of sagacity, and an intuitive faculty for determining lines. We were now in the position of a strong firm or bank, straitened in our resources, but with all our energies unimpaired, with our future, our past experience, and our credit as assets, and we must see the money prudently expended, if not, there was no doubt it would entail great loss to the country, and they were not in a position to bear further pressure. With regard to clause 2 of the Bill, he was highly pleased that it was intended to proceed further with the construction of railways in the Southern Island. The advance which the Southern Island had made in that direction was most satisfactory, and anything that tended to benefit the Southern Island tended to benefit the whole Colony. The interests of the Colony were essentially one and undivided. They might affect to think that their own local interests were different, but their colonial debt and liabilities made them one. He rejoiced very much at the proposals in the Bill which anticipated further progress in that direction, and only hoped that no political pressure would induce the Government to lose sight of the nobility of their own scheme, which depended for its success on mature consideration of each line, and, above all, avoidance of precipitancy. In clause 13 it was stated that,—

“Whenever the Governor shall determine to construct any such railway or any part thereof, it shall be lawful for him, by proclamation published in the *New Zealand Gazette*, to declare and define the limits and description and line thereof, and the lands proposed to be taken for the purpose of such railway, subject to the provisions of any Act defining such limits and descriptions; and any such proclamation may refer to maps, plans, or drawings to be deposited in the office of the registrar or deputy registrar of the Supreme Court in the Province in which such railway or part thereof is proposed to be constructed, and any maps, plans, or drawings so referred to shall be deemed to form part of such proclamation; and upon the publication of such proclamation the provisions and regulations contained in the seventh part of this Act shall be applicable to the railway and to the lands to which the proclamation shall relate.”

In clause 14 he found it stated that,—

“In any such contract it shall be lawful for one or more Superintendents of Provinces to join and concur, for the purpose of entering into such engagements on behalf of his or their Provinces as he or they may be authorized by law to enter into.”

What clause 14, taken and considered with clause 13, meant, he could not say. They appeared inconsistent and incompatible one with

the other. An honorable member said it related to the construction of bridges across the boundaries of Provinces, but, in his opinion, that had nothing to do with it. The powers conferred by those clauses appeared to him to be inconsistent. He wished to understand what the Bill meant, but there were some features in it which, to his mind, did not appear to have been made sufficiently plain. If the Governor had power to define the lines of railway, and the limits of the land to be taken for that purpose, were they to suppose that the Superintendents were to be allowed to haggle over the erection of a bridge? He wished to see a spirit of unity prevail in the Bill, so that it might become a successful measure. He had laboured for years in the Colony; he came to the Colony with the intention of settling in it, and he intended to remain in it and make it his home. That being the case, he must be excused for looking into this matter, upon which so much of the future well-being of the country depended, with very great care. His attempts might be superficial, but, at all events, he did his best, which was, on all occasions, one of the habits of his life. He saw again, by clause 19, that the railway expenditure, except that under the Middle Island fund, was to be charged against the Province in which the works upon which such moneys shall have been expended are situate, immediately upon such expenditure being made. He thought it was a colonial scheme. The Minister of Justice, too, had told him that the great and particular advantage of the measure was that it was a colonial scheme; but he asked, if it was a colonial scheme, what were they going to do with those Provinces which could not afford to pay the charge? An honorable member said it was not intended for these Provinces—well then, if that were so, it was not a colonial scheme. If it was a colonial scheme, he could understand the proposition; but if it was a provincial scheme, let them have the burdens so distributed that they should not fall equally upon the whole Colony, as the interest of the money borrowed under this Act would do. This was a measure to aggrandize the rich Provinces at the cost of the Colony, and bury the smaller and poorer Provinces in greater misery, by rendering them liable to further taxation. How, he asked, was the Province of Marlborough to pay for its railway? It could do no such thing. There was an inconsistency in the scheme. They knew perfectly well with what a halo of enthusiasm—with what a glow of excitement—the scheme was received in another Chamber, where it was stated that one of its great advantages was that railways were to be formed in the North Island. For his own part, he did not know that the North Island could afford to pay for those railways, and yet, if the North Island could not afford to pay the provincial charges, what was to become of the Native difficulty? He saw, too, that grants of land were to be made for railway purposes to the extent of 2,500,000 acres. The North Island was to find its security in that direction. It was supposed that these lands would be utilized by

settlement upon them of the people employed in the construction of the railways, but his whole experience showed him that that principle of settlement was unsound. The contractors would not keep that object in view. In the first place they would be merely speculators, and the people they would employ would be navvies and all the tag-rag and bobtail of the old country, who would be induced to come out here on the representation that they would get forty acres of land. This latter element would be introduced by contractors in affecting to carry out the immigration provisions of their agreement. What would such contractors care for our interests? The country would be flooded with a worthless class of people. They all knew that navvies did not make good settlers. They were not a desirable class to introduce into the community, and they would never settle down. Let them look at the Province of Auckland. What was the result of the forty-acre system there? They had several towns established which for years had been struggling for an existence. He had himself seen poor unfortunate people there trying to milk a cow without knowing how to set about it; others, who could not handle a spade, and who did not know a thistle from a dock-weed, were trying to cultivate a piece of ground. What could they expect would be the result if the contractors were to bring in a large number of hired men and immigrants of that description? They would have the country ruined; their gaols would be crowded, and they would have to send the men back again to the place from whence they came. On a former occasion here, they had a contract with an iron-founder for the erection of a slip, about which they quarrelled most pitifully, because, as he thought, the contractor was altogether too keen a hand for them, and the people were too foolish for him. But the people he introduced to work on the slip were almost worthless as settlers. They were men good enough at hammering inside of a boiler, but when thrown out of their own particular line they were perfectly worthless as colonists. If that was the result, in a minor degree, of the introduction of such people on a small scale, how much worse would it be if such people were introduced on the larger scale contemplated by this scheme. They would spend every copper they earned in drunkenness and dissipation; and, as a class of immigrants, would be utterly useless to this country. Their mere antecedents and natural restlessness, and the fact of their living in the neighbourhood of gold fields, would keep these people in a state of excitement, and they would be rushing about from one gold field to another, living upon any unfortunate sheep-farmer whose run might lie in their way. As these were some of the results that might flow from the adoption of this scheme, it behoved them to take such precautionary steps as were necessary to save the Colony from the utter ruin that might otherwise ensue. Again, he saw that one-half of the stamp duties were appropriated to the Provinces to meet the charges for railway expenditure. He would like to know how

that principle was to be applied in the case of Provinces where no railways were to be formed. His honorable and gallant friend Captain Fraser had told them that they were not to have railways in poor Provinces. Would it be just or equitable to preclude those Provinces which were to be deprived of railways from having the half of the stamp duties collected within their bounds credited to their provincial account? He thought it would not, and yet he saw no provision in the Bill to secure this common justice. For his own part, he did not see the slightest chance of their getting railways made further south than Auckland. He now came to the consideration of that part of the Bill which had for him the greatest charm, and which possessed a true colonial spirit. It stood to reason, with their known and vast auriferous districts, especially in Nelson, and in the hilly districts of Otago and elsewhere, that the construction of waterworks for the supply of the gold fields presented a fair and legitimate mode of imparting to the gold industry a character of stability and reproductiveness. There was no doubt that the accidental discovery of gold saved the Colony, at different critical times, from financial ruin, and if, from the unwilling bowels of the land, so much wealth had been torn by the rude labour, in many instances, of unskilled men, what might we not expect from the systematic assistance of art controlling and concentrating the wild powers of nature, till, centring their force on a given space, nature's secrets are revealed, and her wealth lies in our grasp. They had gone through a whole chapter of providential escapes from financial ruin in this country, and they must inevitably have been crushed by their own blunders and indebtedness had it not been for the frequent discoveries of gold north and south: they would readily realize, therefore, how important it was to foster this reproductive industry. With regard to Part IV. of the Bill, he was sorry that the Hon. Mr. Mantell should so totally disapprove of the purchase of land in the North Island. He looked upon the whole matter as very simple. It would be found in Hepworth Dixon's *New America* that that gentleman, while travelling in Western America, observed to one of the settlers there, "Is it not a wonder that such a military people as you are should submit to paying these rascally chiefs instead of fighting them?" The American replied, "I guess, stranger, we find it cheaper to pay them than to fight them." It would be found to be exactly the same in the case of the Maoris. A certain amount of war was the natural condition of the Northern Island. Any one acquainted with the history of any analogous race would have no difficulty in tracing the sources of disturbance to the existence of that jealousy of aggression and spirit of independence maintained by tribal races. The history of the Irish people proved this, for, crushed as they might be, they still retained the Celtic feeling in their hearts, and it was sure, at one time or other, to break out; so that he did not see the sagacity of the Hon. Mr. Mantell in objecting to a measure of that kind, which, while it afforded

them the means of increasing their resources, at the same time provided them with money to keep the Maoris employed in the useful pursuits of peace. As to the difficulty of constructing roads, there would, of course, be some difficulties to be contended with, but experience had shown, as was pointed out in a book written by Power twenty years ago, that the Maoris had a peculiar fondness for money, and this country would be wise in encouraging their liking for money rather than fostering their enthusiasm for powder and shot. It was, to his mind, absolutely necessary that the North Island should have a landed estate. In spite of any measure that might be introduced, they could not prevent the alienation of the property of the Maoris. The history of the North Island thoroughly demonstrated that. They were therefore acting wisely in endeavouring to turn to the best advantage what he might call, more or less, a necessary evil. If the Government did not interfere, the land would go to the private speculators; disturbances would be the result, and the country would be placed in constant danger. A large sum of money had been set down for immigration. To his mind, there was only one kind of immigration which was likely to prove successful in the settled districts of the Northern Island, and that was to be brought about solely by the employment of agents to travel through the country, and inquire from the farmers, landed proprietors, and agriculturists generally, how many people they would be prepared to receive, and obtain from them a pledge to give employment to a certain number—efficiency always presupposed—for a certain period of time. By that means they would get many farmers who would be anxious to guarantee employment at the rate of £35 a year, and assist in paying a part of the passage money in addition, and when the immigrants arrived their labour would soon prove of a reproductive character. If, however, this country went in for an heroic system of immigration, it would be found to fail most egregiously, and lead to discontent, riotous dissipation, and all kinds of misery. He had seen sufficient of the Northern Island to enable him to judge of the danger of entering upon any large scheme of immigration without having first given it mature consideration. Immigrants might of course be settled on virgin lands, either by genuine Scotch or English immigration companies, or even by the Government, but too much care could not be taken, and iron-founders and railway contractors were above all to be avoided. The Government must conduct its railway schemes and its immigration business each independently of the other; if any combination were attempted, it would prove a hash indeed, but the Devil's own hash to the future of the Colony, which already proceeds with a sufficiently mincing pace. This country was, in many respects, behind the other colonies, and they should approach the subject of immigration with the consideration of this fact. He found, however, that half of the cost of immigration was to be charged to the Provinces, at a rate not exceeding 30s. per head per annum for every immigrant introduced. That, to his mind, meant

nothing, for the Provinces had got no money to pay. The Provinces were, at the present time, staggering under the multiplicity of their engagements, and how were they to pay 30s. a head per annum for every immigrant introduced, when they were absolutely unable, in certain instances, to pay their policemen? If they took Auckland as an example, they would find that its financial position was rotten to the core, and that it was dependent upon being patched up from time to time by adventitious circumstances. That Province could not pay such a capitation tax as that proposed. Then why, he would ask, was such a provision inserted in the Bill? As he had said before, the Minister of Justice told them that the scheme was a colonial one; but, if it were, why not rid the Bill of such nonsense as this. How could it be regarded as a colonial scheme if the Provinces were to be taxed to the extent of one-half the expense of putting it in operation. Were they to go before the world and admit themselves to be mere children, by undertaking those enormous measures, involving the future existence of the Colony, with such manifest inconsistencies and crudities as were disclosed in the Bill before them. By clause 72 it was provided that,—

“The Governor, in constructing any such railway, may deviate from the line of works described in any Act defining such railway, or in the proclamation made under the Act relating to any such railway, or laid down in the plan referred to therein, but may not take or use for the purpose of such deviation any lands not comprised within the limits of deviation specified in such Act or proclamation without the consent in writing of the owner of such lands.”

There was not much apparent meaning about that, but to his mind it suggested a difficulty. He was greatly afraid that, unless considerable precaution was taken, their railways would be subjected to the same process as that to which their roads were subjected, namely, that they would be turned and twisted into every conceivable shape without the least regard being had to a system of uniformity. And was it not a dreadful thing to feel, in considering a measure of this enormous importance, that at any time any of those innocent looking clauses might assume, under political pressure, hideous proportions. He was greatly afraid that such would be the result of the scheme. At the same time, he did not wish it to be understood that he was levelling a sweeping condemnation against the whole measure. With the exception of the points to which he had alluded, he approved of the scheme as a whole, and admired the genius and enterprise that dictated it, but he questioned the wisdom and practicability of its details. One thing, in his hurry, had escaped his observation. In clause 70 it was enacted,—

“It shall be lawful for the Governor to lease from time to time, at such rent and on such conditions as he may think reasonable, all or any of the lands which he has acquired or may hereafter acquire, by voluntary agreement, for the purposes of any such railway, or to sell or convey all or any of such lands in such manner and on such conditions as he may deem proper: Provided that

all leases so to be made shall be deemed to take effect in possession.”

He thought that was a degree of authority which it would be exceedingly unwise to place in the hands of the Governor in Council. Were they to consent to hand over land of the value of £2,500,000, to be disposed of as the Governor thought fit? Of course, this clause referred to the 2,500,000 acres set aside for railway purposes, and this was to be placed for ever beyond the control of those most interested. Here the scheme was colonial with a vengeance! Any Government pitchforked into office had the undisputed control of this vast property, positively to give it way if they liked, for it amounted to that. If that was the way in which the public business of the country was to be conducted, he thought the sooner he had nothing to do with public business the better.

On the motion of the Hon. Mr. CAMPBELL, the debate was adjourned until next sitting day.

The Council adjourned at ten minutes past twelve o'clock a.m.

HOUSE OF REPRESENTATIVES.

Friday, 26th August, 1870.

Public Petitions Committee—Supply—University Bill—Messages from the Legislative Council—Public Trustee Bill—Representation Bill—Payment of Common Jurors Bill—Railway Bill—Customs Duties Bill—Real Property Bill—Town of Gisborne Land Sales Validation Bill—Crown Grants Bill—Married Women's Property Protection Bill—Bankruptcy Bill—Taranaki Volunteers—Militia and Volunteer Services.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petitions respectively of the settlers of the Waiapu district, the Rev. T. S. Grace, B. Pieman, Martin Pierce, and Henry Baucke, which were read and ordered to lie on the table. Before proceeding to the business of the day Mr. Wilson said he wished to say a few words with regard to the present position of the Public Petitions Committee. There had been 100 petitions presented during the present session, involving the necessity of writing 102 reports, two of that number having been referred back for reconsideration. There was not then a single petition that had been before the House which had not been reported upon, with the exception of one presented by the honorable member for Dunedin about five minutes previously. He mentioned these circumstances in order that the Government might take into consideration the services of the clerk who had been employed by the Public Petitions Committee. The clerk was one of those whose services were contingent, but he had done five times the amount of work done by any other contingent clerk, the 102 reports requiring to be entered in the report book, and a copy of each made out for presentation to

the House. Only on one occasion had he been behindhand in the morning at ten o'clock in bringing up the minutes of the preceding day to be confirmed.

Mr. McLEAN said that the House was much indebted to the Chairman of the Public Petitions Committee for the indefatigable zeal he had shown in connection with the consideration of petitions during the session, and he had no doubt that the Government would recognize the valuable assistance rendered by the clerk alluded to in the honorable member's remarks.

SUPPLY.

The SPEAKER announced that he had received from His Excellency the Governor a message, transmitting a supplementary estimate of expenditure of £180,000 for defence purposes for the year 1870-71.

The message was ordered to be considered in Committee of Supply.

UNIVERSITY BILL.

On the motion for going into Committee on this Bill,

Mr. CARLETON.—Sir, I had intended to have addressed a few words to the House on the motion that this Bill be restored to the order paper, but as the hour of half-past five was approaching I refrained, in order that a vote might be come to, which, in the present crowded state of the order paper, might not be easily attained if that opportunity were lost. But I stated at the time that I should take advantage of the motion that the Speaker do leave the chair. Sir, I had not intended to speak or vote at all on this question, until compelled, on a late occasion, to give a casting vote from the chair. Nor would I have spoken now but that I have reason to think that motives have been attributed to me which I utterly disavow. I have reason to think that a paltry provincial feeling has been supposed to have prompted that vote; that it has been thought that, because the university was not to be established within the limits of my own Province, therefore I tried to hinder its establishment in another Province. Of all parts to play, that of the "dog in the manger,"—and I am sorry to say that those words have been used in this debate—the "dog in the manger" is of all the most contemptible. It is deeply to be regretted that it has now become difficult to give a vote in this House without the risk of ignoble motives being imputed. I am tolerably thick skinned, as, indeed, one who has for years been the best abused man in the Colony ought to be; but there are some in the House who have succeeded in finding a weak place,—the heel of Achilles. Yet it might have been thought that I, above all others, might have been beyond suspicion of provincialism—of that narrow-minded, nay worse, narrow-hearted feeling which must surely have been acquired in that renowned place called Little Peddington. So far from that, the real ground of difference between the Government and myself is this: the Government, in accordance with the centralizing habits of provincialism, seek to concentrate the

operation of this university, while I desire to extend and diffuse it. Now, Sir, having been compelled, by a tie in division, to take a more prominent part in the matter than I had desired, I think it right to express my views on the general question. From the time of my arrival in this Colony the establishment of a university has been a leading idea with me. In 1854 I developed my views at length in the House,—the report of the speech remains in the *Southern Cross* newspaper. It will suffice for my present purpose to indicate the main points. I proposed that the university, strictly so called, should be little more than a myth. Three or four examiners, with power to confer degrees, and a room to sit in, would be university enough. The more important share of the educational works would fall upon colleges affiliated to the university, these colleges to be distributed over the whole Colony, and founded, I hoped, by the several religious denominations. I am sorry to hear expressions of disapproval; I shall presently give reasons for my opinion. It was also proposed that residence within the college should be not compulsory; that those who thought fit might reside at home and come up at stated periods for college examinations; to take pattern, in fact, so far, from Trinity College, Dublin. There would be nothing to hinder the university professors from teaching in the colleges, for their university functions would still be kept distinct—for I lay the greatest stress upon separating the task of education from that of degree examination. Let the functions of the university authorities be only to examine and confer degrees. But, Sir, to these proposals I added another of a different nature, but one, I think, deserving of some consideration. I proposed, taking pattern from the old country, to give representatives to the university, only on a more liberal scale, and thus to secure for education a voice in the councils of the state; the taking of a degree to confer a qualification for a vote—the graduates to elect their own members, taken from any part of the Colony. But for this, it would be necessary that the university should be distributed over the Colony by means of the affiliated colleges; otherwise, as under the Bill before the House, it would be only so many more members for Otago, if the university be placed there, or to Auckland if at the other end of the Island, as the case might be. This proposal could not be carried out under the Government scheme; for what the Government really propose to found is, not a university but a college. We are far too much in the habit of allowing ourselves to let our ideas be governed by mere names, without inquiring into the meaning of words. If you want a university, create one; if you want a college, build one; but let there be no more confusion of ideas. The essential difference, upon which I take my stand, is between concentration and diffusion. The Government prefer the first: they are entitled to their own opinion, but I prefer to take a colonial and not a provincial view. There is another point of difference between myself and the Government. Where I desire to get rid of the machinery of a

Senate, and all its paraphernalia, the Government would have, I presume, a vice-chancellor, with his esquire bedells, silver pokers, robes and trimmings, setting him up in all the glory of bumbledom. I entirely agree with my honorable friend the member for Avon, whose speech I have listened to with great attention. "By the first amendment," he says, "I would suggest that the body proposed to be constituted shall be of a less pretentious character; and I would do away with the machinery of a Senate and other paraphernalia, which we are not prepared for." There is another question, deserving of more serious consideration than we have given to it—that of the ultimate destination of the educational endowments scattered about the Colony. I say that if the Government college be placed at Dunedin, under the guise of a university, these endowments will be all sucked, by degrees, into that Otago maelstrom. But I am inclined to lay even more stress upon the education of the children than upon that of the young men. But, Sir, there is a further consideration, more serious than any of these, and which influences me still more strongly. I have been driven to the conviction that, where you bring together students of various religious denominations, education must be purely secular. This has been plainly shown in my own Province. I need only quote from the speech of the honorable member for Newton, Mr. Creighton, a paragraph which expresses the same idea. He observed that, "He was happy to say that the feeling became very general in that Province (Auckland) in favour, not of the denominational system, but of the purely secular system of primary education. I had the honor of introducing and carrying through the Provincial Council of Auckland 'The Common Schools Act, 1869,' which embodied all the points in the resolution of the honorable member for Grey and Bell." I unwillingly admit that the honorable member was right. Now, Sir, I am not about to insist upon the merits of religious education, or to recommend sermonizing young men. I am quite aware of the comparative inefficacy of such teaching among young men, though I believe it to be of great value in the children's schools. I do not even insist upon theological teaching in a university, unless the word be taken in its broadest acceptance—in its derivative sense—in which case it expresses my meaning; but I do insist upon this—that youths at a university should be made well acquainted with the broad outlines, at least, of modern Biblical criticism, that is to say, with Scriptural exegesis; not one-sided, not partial, but courageously facing difficulties, refuting objections—for I am satisfied that they can be refuted—and dealing fairly with each according to its own intrinsic worth. For the great evil of modern days is no longer bigotry, but scepticism, which has fastened on the more civilized portion of the world with the unyielding claw of a cold-blooded animal. There is but one antidote to this poison—knowledge. As we seek by education to raise the constituencies above the level of stump orators, so is it our first duty to lift up the youth of the country above the

level of railers and commonplace sceptics. Now, in my humble opinion, this end cannot be arrived at where teachers of various denominations are mixed up together. We have learned by experience that they will not agree: for university purposes they must be kept apart by means of colleges. Let each denomination take charge of its own, in its own college, and in its own way. It was in order to meet the great obstacle in the path that I proposed the system of affiliated colleges. Now, the speech of the honorable member for Avon is in curious conformity with mine in 1854, though he knew nothing of it; and when I voted for his amendment, it was not from any of the motives attributed, but in consistency with views that I have myself held throughout. Well, I know when I am beaten—we cannot all have all we want—and I believe secular education to be better than none at all. I desire to promote education in one form or another, and therefore am not prepared to tear out the page in order to get rid of the blot. Could I have foreseen the result of the casting vote I gave—that it would lead to the withdrawal of the Bill, I might possibly have given a different vote, though I am still satisfied that it was in the right direction. I think that the honorable member at the head of the Government acted hastily and unadvisedly; but he has as good a right to an opinion on that subject as I have. My desire was to amend the Bill, not to destroy it. I voted for restoring the Bill to the order paper, and willingly support the motion that it be now committed.

Mr. KERR did not rise to oppose the motion for going into Committee on the Bill, as he thought it was a very good thing to establish a university in the Colony, but he thought they were commencing at the wrong end. When the great majority of the rising generation were without common school education, and when it was not within their reach, it was manifestly unfair to tax the parents for the purpose of endowing a university, as that would be the effect of the Bill. He would have no objection to a land endowment for a New Zealand University, but to give £3,000 a year to a university from the general revenue of the Colony, while the common schools were unendowed and without any assistance whatever, would be unfair to the tax-paying people of the Colony. He represented three of the Pensioner Settlements of New Zealand. There were two schools in each of those settlements, and they were without the least assistance from either the Provincial or General Government. It would be unfair to call upon the people to support a university when their own children were destitute of common school education. Those were some of the reasons which would induce him to vote against such a scheme. He could not agree with the last speaker in wishing to establish either a university or common schools on a sectarian basis. It had been tried for the last twenty-five or thirty years and been found wanting, and, instead of having a beneficial effect, he thought the result would be just the reverse. He thought the young men of any community in-

tended to mix together in the world in the various transactions of life ought not to be separated during their education—that they ought to be educated in mixed schools or universities. It would have a better effect than instilling into their minds any sectarian bias.

Mr. CARLETON said his remarks had reference to the teachers. They might send a student belonging to the Church of England to a Wesleyan college, or a Wesleyan child to a Church of England college. There would be no hindrance to that; but he desired that the teachers should be kept apart, in order that they should not fall out.

Mr. KERR did not think there was any necessity for that; he did not think there ought to be separate teachers. There should only be secular education given in the schools or universities endowed from public funds, but the clergymen of the different religious denominations should be allowed to visit the schools at stated times, and take the children of their own denomination apart for the purpose of imparting religious instruction to them. There ought to be a separate building or apartment for that purpose. There was no necessity for having strictly denominational institutions. He knew they had been tried in Auckland, and were a failure. He believed this had been the case in other parts of the Colony, and he felt sure that failure would always attend the denominational system. For the few reasons he had given, he thought the House would be wrong in voting an annual sum from the current revenue of the Colony to endow a university at the present time. The time might come when it would be well, perhaps, to endow a university out of the public revenue of the Colony, but that time had not come yet. An endowment of land would not press heavily upon the poorer inhabitants of the country, nor would they miss it much. He should, for the reasons stated, vote against the endowment portion of the Bill, and, when in Committee, would move that the clause be struck out.

Mr. McINDOE was very sorry to hear that the state of education was so depressed in some parts of the Colony. It was rather a new statement to him, and one that he was not prepared to hear. He was very glad to say that in the Province of Otago elementary and even more advanced education was within the reach of the poorest in the Province. He trusted the House would give every support and every encouragement in its power to provide education in those districts where it was so much wanted. He should like to disabuse the mind of the last speaker of the idea that an endowment had been asked for the University of Otago. It had not been from the representatives of that Province, or the Province itself, that the proposal for conferring an endowment had emanated. They did not want an endowment. All they wanted was to give it the stamp of the Colony, instead of having simply the stamp of Otago on it. He would vote against the clause for giving a money endowment. He could assure the House that the university established in Otago was not of the character proposed

by the honorable member for the Bay of Islands. It was entirely undenominational. The religious element had nothing whatever to do with it, and he trusted the House would not tolerate the imposition of such a character upon it. With regard to professors, what they wanted was simply to get the best men to occupy the professional chairs, no matter to what denomination they belonged, or whether they belonged to any religious denomination at all. They wanted to have a university established upon the broadest possible principles, without any sectarian or religious element in connection with it. He trusted that the House would consent to the committal of the Bill, deleting that objectionable clause which proposed that an endowment should be conferred.

Question proposed, That the Chairman do now leave the chair, in order that the House may go into Committee on the University Bill.

Mr. ROLLESTON said he wished to say one or two words before the House went into Committee. He would not detain the House at any length, because he had already stated his views on the subject, but there was one idea which he wished to combat before the Bill was considered in Committee, and that was that either he or others who had moved in this matter were influenced by local feelings. The fact was, that the main point of difference between his views and those of the honorable member who had charge of the Bill was this: that he wished to see any university which might be established in the Colony placed in connection with the Government of the country. He knew well that experience of the past in old countries had shown that the great evils which had grown up in connection with educational institutions had been caused by the funds and management of those institutions being placed in the hands of private bodies, uncontrolled by the Legislature of the country. It had taken years and years of inquiry and legislation to get the lever to bear upon these institutions, to make them more in accordance with the age and with the progress of the country. What he wanted to see was that the Government here should be associated with the university body as with a council of education; that this council of education should place itself in communication with all other teaching bodies and colleges throughout the country, and that it should maintain a uniform standard of attainment amongst those bodies, and should see that the education in any one particular locality did not fall behind the standard maintained in other parts. It would be seen that, so far from having any idea or wish to have the university at Canterbury or elsewhere, his idea was that the centre around which the university should revolve was the Governor of the country—by which, of course, he meant the Government. Therefore, if the university had any local *habitat* at all it would be in Wellington. The hall of the university, where the students would meet to be examined, would be at the seat of Government, where the Governor, as chancellor of the university, would confer the degrees. Whatever might

be the result of the decision of the House with regard to this Bill, he should never be found voting against the endowment of any institution which was doing really good teaching work. He should vote for the endowment clause; and if he should be satisfied that the teaching in the college in Otago was such that the money could be properly expended in that place, he should be pleased to see it spent there. He should vote for the endowment of any teaching body that was doing good work; but that work should be tested by a uniform standard of education, and the money should be administered by the Council of the university and the Government of the country. It should rest with them to determine whether there was an opportunity of spending that endowment properly. He would refer to the remarks of Mr. Simmons, in his paper on the subject, which expressed what he had to say better than he (Mr. Rolleston) could himself:—

“I do not think the time has yet arrived for the establishment of a university, at all events as a teaching body, in New Zealand. An efficient university requires a large number of students as well as good professors, and, if possible, of students whose antecedents have been widely different. The most efficient professor would be nearly uselessly employed in lecturing a class of three or four, or half a dozen boys. The action of student upon student, a sufficient number of pupils to make it certain that there is a nucleus of intelligence, are things essential to successful university teaching. In Otago and Canterbury, and probably in Nelson, Auckland, and some other Provinces, it will be found that what is wanting is less masters to give instruction in the higher branches, than pupils of age and cultivation to receive instruction in those branches. I believe that if the Legislature of New Zealand thought fit to establish a body corporate, empowered to grant a classified degree to those who reached a certain standard, and scholarships annually to the two best who reached this standard, this evil would be effectually remedied. There would be no practical difficulty in attaching a substantial value to this degree. It might be made available for the examination of civil servants, legal practitioners, licensed surveyors, and others. Such a body, besides appointing the examiners for scholarships and degrees, might hold all property connected with scientific and educational objects, and would usefully interpose as a permanent body, selected *ad hoc*, between an executive with a political tenure, and the scientific and literary endowments of the state. It would infallibly grow into a university in time, and as such a university would resemble most successful institutions in being a natural growth and not artificial or exotic, would be based upon the ascertained requirements of the Colony as they made themselves known, and not upon preconceived notions of the fitness of things, it would both be stronger and possess a greater power of adapting itself still further to our wants.”

He would say nothing more on this subject now. When the details came on for consideration he

would briefly point out the manner in which it should apply to the principle, which he hoped he had made sufficiently clear to the House.

Mr. FOX had only one word to say in reply to a remark of the honorable member for the Bay of Islands, who spoke as though this Bill was a Government measure. It was not in any sense a Government measure. It was introduced originally by a private member, and was referred to a joint Committee of both Houses of the Legislature. The Bill was the work of that joint Committee, and it was as Chairman of that Committee, and not as a member of the Government, that he brought the Bill before the House.

The House then went into Committee on the Bill.

Question put, “That clause 5 as amended stand part of the Bill,” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	17
Majority for	...	...	...	...	12

AYES.

Mr. Barff,	Mr. Main,
Mr. Bradshaw,	Mr. McGillivray,
Mr. Brown,	Mr. McIndoe,
Mr. Bunney,	Mr. McLean,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. Ormond,
Mr. Creighton,	Mr. O'Rorke,
Mr. Driver,	Mr. Taylor,
Mr. Eyes,	Mr. Vogel,
Mr. Fox,	Mr. Webster,
Mr. H. S. Harrison,	Mr. Williamson,
Mr. Houghton,	Mr. W. Wood.
Colonel Haultain,	<i>Tellers.</i>
Mr. Kelly,	Mr. Kerr,
Mr. Macfarlane,	Mr. Moorhouse.

NOES.

Mr. Baigent,	Mr. Parker,
Mr. Curtis,	Mr. Richmond,
Mr. Edwards,	Mr. Stafford,
Mr. Hall,	Mr. Stevens,
Mr. W. H. Harrison,	Mr. Wells,
Mr. Jollie,	Mr. J. C. Wilson, C.B.
Captain Kenny,	<i>Tellers.</i>
Mr. Mervyn,	Mr. Rolleston,
Sir D. Monro,	Mr. Tancred.

PAIRS.

For,	Against,
Mr. Macandrew,	Mr. Collins,
Mr. Birch,	Mr. Brandon.

The clause as amended was consequently agreed to.

Mr. HAUGHTON moved that in clause 13 the following words be omitted, “Bachelor of Music and Doctor of Music.”

Question put, “That the words proposed to be left out stand part of the clause,” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	15
Majority for	...	...	...	...	5

AYES.

Mr. Birch,
Mr. Bunny,
Mr. Carrington,
Mr. Creighton,
Mr. Driver,
Mr. Fox,
Mr. H. S. Harrison,
Mr. Kerr,
Mr. Macfarlane,
Mr. Main,
Mr. McGillivray,

Mr. McLean,
Mr. Mervyn,
Mr. O'Neill,
Mr. Ormond,
Mr. Taylor,
Mr. Vogel,
Mr. Webster.

Tellers.

Mr. McIndoe,
Mr. Stafford.

NOES.

Mr. Brown,
Mr. Clark,
Mr. Jollie,
Mr. Kelly,
Sir D. Monro,
Mr. Munro,
Mr. Richmond,
Mr. Rolleston,

Mr. Stevens,
Mr. Swan,
Mr. Wells,
Mr. J. C. Wilson, C.B.,
Mr. W. Wood.

Tellers.

Mr. Haughton,
Captain Kenny.

PAIRS.

For,

Mr. Macandrew,

Against,

Mr. Collins.

The amendment was consequently negatived,
and the clause agreed to.

Mr. ROLLESTON moved, That after the word
"university," in clause 15, the following words be
inserted, "for the establishment of lectures in the
affiliated colleges."

Amendment agreed to.

Question put, "That the clause as amended
be agreed to," upon which a division was called
for, with the following result:—

Ayes 27

Noes 14

Majority for 13

AYES.

Mr. Bradshaw,
Mr. Brown,
Mr. Carrington,
Mr. Creighton,
Mr. Driver,
Mr. Edwards,
Mr. Fox,
Mr. Hall,
Mr. H. S. Harrison,
Mr. Jollie,
Captain Kenny,
Mr. Macfarlane,
Mr. Main,
Mr. McLean,

Mr. Mervyn,
Sir D. Monro,
Mr. Moorhouse,
Mr. Richmond,
Mr. Rolleston,
Mr. Studholme,
Mr. Tancred,
Mr. Vogel,
Mr. Webster,
Mr. Williamson,
Mr. W. Wood.

Tellers.

Mr. Birch,
Mr. Stafford.

NOES.

Mr. Clark,
Mr. Kelly,
Mr. Kerr,
Mr. McIndoe,
Mr. Munro,
Mr. O'Neill,
Mr. O'Rorke,
Mr. Stevens,

Mr. Swan,
Mr. Taylor,
Mr. Wells,
Mr. J. C. Wilson, C.B.

Tellers.

Mr. Bunny,
Mr. Haughton.

PAIRS.

For,

Mr. Macandrew,

Against,

Mr. Collins.

The clause was consequently agreed to.

The Bill was reported to the House with
amendments, which were agreed to, and the Bill
read a third time, and passed.

MESSAGES FROM THE LEGISLATIVE
COUNCIL.

The SPEAKER announced that he had re-
ceived the following messages from the Legis-
lative Council:—

The Census Bill, which was read a first time,
and the second reading fixed for next sitting day.

The Sale of Spirits in Native Districts Bill and
the Hawke's Bay Renewal of Licenses Bill, with
amendments, which were ordered to be considered
next sitting day.

PUBLIC TRUSTEE BILL.

On the motion of Mr. FOX, the amendments
made by the Committee in this Bill were agreed
to, and the Bill read a third time, and passed.

REPRESENTATION BILL.

This Bill was further considered in Committee,
and reported with amendments, which were agreed
to, and, on the motion that the Bill be read a
third time,

Mr. HAUGHTON said before the Bill was
read a third time he would like to make a few
remarks. He thought it was necessary to explain
the course which he felt it his duty to take when
the Bill was in Committee. It might have
appeared rather inconsistent that he should
have voted in the first place towards giving
the country districts increased representation in
one Province, and then have voted for Wellin-
gton retaining three members. The reason why
he had taken that course was, that when he found
that the House was determined to take the Bill
as it had been recommended by the Committee,
and, without any consideration of any principle
whatever, to swallow it in the form brought
down; when he found that upwards of 15,000
residents in the Province of Auckland were
to be put off with one member, although there
were actually on the roll of the district
over 1,500 electors, and there would be, in the
course of a week or two, nearly 4,000 electors
besides about 5,000 men who had, by the laws of
the country, a right to vote under their miners'
rights; when he saw this Province, out of sixteen
representatives, taking fifteen to represent the pas-
toral, agricultural, and shop-keeping interests,
while, for the whole of the important mining in-
terest, to which it owed its political existence, one
member was doled out; when he found the
House approve, and, indeed, indorse with accla-
mation, the recommendation of the Committee in
this and cognate directions, he thought the best
thing that could be done was to make the Bill as
absurd in the eyes of the country as it was pos-
sible to make it. He maintained that the result
of the deliberations of the Select Committee, and
the Committee of the whole House, had been to
complete a measure which, he was quite sure,
would have the effect of inducing the people
of the Colony, having now obtained the ballot,
and having the certainty of obtaining next year

the right which every English colonist ought to enjoy—the right to vote—by the House indorsing the principle of manhood suffrage, to come down through their representatives who would be elected at the ensuing election, and demand equal electoral districts; and he would be prepared himself to go to the hustings with that inscribed on his banner as well as manhood suffrage. (A laugh.) He could tell those honorable members who laughed, and those honorable members who were in favour of saving themselves trouble in the House by swallowing everything that the Waste Lands Committee, the Gold Fields Committee, and the Private Grievance Committee recommended, that the result of manhood suffrage, vote by ballot, and equal electoral districts, would be taxation of property. He would be prepared, if any constituency did him the honor to send him to the House again, to come down next session with a definite proposal, in the form of a Bill, to divide the country into equal electoral districts, as in America, upon the basis of population, a certain number of electors having one representative; and he would be prepared also to move that the House recommend its own dissolution at the end of the session, in order that the principle might be carried out with the least possible delay. He hoped honorable members would take an early opportunity of meeting the difficulty of the form of taxation, and of meeting the questions which would be asked when they were going round canvassing. They would have a little trouble, even in those quiet pastoral districts which had been so carefully mapped out in different parts of the country, where representation was given, as the honorable member for Wellington City said once when he walked into the lobby, “‘Ayes’ vote for the sheep, and ‘Noes’ vote for the men.” He considered the Bill which they were asked to read a third time infinitely worse, as regarded the representation of the Colony, than the Bill under which they were sitting in the House; and he said, with regard to the gold fields, that they were miserably under-represented in proportion to their importance. In the colony of Victoria, with an Assembly consisting of about the same number as in New Zealand, half the members represented gold fields interests, while in that House they had the greatest trouble to get, out of the seventy-six members, just double the number of the Maori representatives. There were eight members in the House representing gold fields interests, and two or three of those were really representing them, as he might say, by mistake; for an honorable member who was not present in his place, who had the arrangement of the electoral districts in 1865, created, by an ingenious device, a special electoral district in Otago called the gold fields boroughs, and endeavoured, by that means, to take out of the various districts in Otago the centres of the mining population, so as to give his own favourite class the chance of three or four seats. The honorable member certainly failed, for he (Mr. Haughton) had the honor of being elected to one of those seats, and his honorable friend the present member for Bruce sat for another. Therefore,

they might say those two seats were filled by mining representatives by accident, and there were only six mining representatives proper in the House. Now, the present Bill actually reduced the number. At present, in Otago there were two members elected for the gold fields, one member for the gold fields boroughs, and three members for districts which practically were in the hands of miners and persons interested in mining pursuits. In the proposed Bill for the adjustment of the districts he had nothing to complain of. It would be difficult to readjust them satisfactorily, but the result was, that they had five instead of six gold fields districts. In the Northern gold fields it was the same, for the Thames was in the district of Franklin, and was represented by the honorable member Colonel Haultain and Mr. Swan. There was no doubt whatever about the question, because it was settled, at the time when Mr. Swan was elected, that the gold fields interest could return both members at present for Franklin, while according to the proposed Bill it could only return one. As a matter of form he would call for a division on the Bill, but he would not put the House to the inconvenience of a division. He moved that the Bill be read a third time that day six months.

Mr. BARFF seconded the amendment. He would not follow the arguments of the honorable member. His own impression was that the Bill was calculated to do an immense amount of injury to the Colony generally, and more especially to the gold fields interests. He trusted the honorable member for Hampden would divide the House upon the amendment, as he was exceedingly anxious to record his vote against such an imperfect and miserable measure.

Mr. MACANDREW could not allow the statement made by the honorable member for Hampden with regard to the Province of Otago to go unchallenged. Probably the honorable member was right with regard to the other gold fields, but certainly the representation proposed to be given to Otago was precisely the same as it was at present. The number of members representing the gold fields would be exactly the same as now. There were five members representing purely gold fields districts, and one member for Bruce. He sympathized with the honorable member in his reference to the Thames gold field, but he had nothing to do with that district. As far as the Otago gold fields were concerned, they would be better represented under the Bill before the House than they were at present.

Mr. CARLETON understood, from the remarks of the honorable member for Hampden, that it was not his intention to divide the House, but he (Mr. Carleton) would give the House the trouble of doing so. Unfortunately, in a new country like this, periodical Reform Bills became a matter of necessity; but every Reform Bill was fraught with elements of danger. In this country, where new interests were rapidly springing up, where so many changes were daily occurring—old faces going and new faces coming in so rapidly: new districts peopled and old ones waning—he was bound to admit that Reform Bills were abso-

lutely necessary from time to time. These Bills carried with them the enduring elements of discord and confusion to such an extent as to make him distrust the beneficial influences of representative institutions altogether. In a new country the conservative principle was always wanting; for what had a new country to conserve? That *vis inertia* which goes so far in the old country to maintain the permanence of its institutions was wanting altogether. However, if they must have Reform Bills, what he insisted upon was that they should have as few of them as possible; that, whenever the gates were opened and changes made, they should be of such a nature as to endure for many years. A little tinkering Bill like this was worse than useless. In order to avoid the disturbing influences which the bringing in of every Reform Bill necessarily engendered, he would have it of a more thorough and more permanent character. That was what the legislation in this country was wanting in. He had never yet seen a Government in this country that was thorough, and possessed of a backbone. The first responsible Ministry, in 1854, failed from not being thorough. They were fairly warned that they were being gulled, but laughed at the warning. While they were temporizing, they were losing all. They failed to take the bull by the horns, and in a very short time they were laid upon their backs—all for want of being thorough. From that time to the present, he had never known a Government with a backbone, or one which could be called thorough, and he had very little hope of ever seeing one. All governments appeared to him to be carried on by temporizing,—getting over little difficulties—tiding over obstructions in one session so as to get on into the next, living from hand to mouth in that way, and having no thought whatever for the future. He objected to the Bill before them, and would divide the House upon it. He did not see how the country would gain the least advantage by it. Had the Government taken the bull by the horns—had they diminished the number of the House, he believed that there was a large majority of honorable members who, in their hearts, would have been glad of it, were it only for the sake of shortening the session and preventing members from being kept away from their homes and their business for three or four months in the year. He believed many members desired to see the number of the members of the House diminished, for, until the number was diminished, they had no reasonable hope of shortening the duration of the sessions. That would be something worthy of the name of a Reform Bill, and would have been a provision against the continually recurring evil—an evil growing so fast upon us, in all parts of the country, through the discoveries of gold and other agencies,—that was, the giving of members to new districts as they became thickly populated, continually increasing the gross number of the House, without making a corresponding diminution in regard to less important districts.

Mr. CREIGHTON.—No.

Mr. CARLETON wished to know the exceptions.

Mr. CREIGHTON.—Mongonui.

Mr. CARLETON asked if the honorable member could tell him the number of the population there, the number of Natives, the area of the district, or inform him of the number of electors. He believed there was not an honorable member in the House who could do so. The business of the country, he believed, would go on just as well if that Bill had been thrown out as it would if it were carried. He could not see how the country would be benefited by passing it. There might be some convenient family arrangements fostered, some views of a Select Committee, as distinguished from the whole House, might be promoted, but he would defy any one in the House to rise and tell him that any one great public object was likely to be furthered by the passing of that Bill. Therefore he would move that it be read that day six months.

Mr. TAYLOR thought, when the honorable member for Hampden rose to address the House, that he was going to put in a word for Wellington, but he must say that he was very much disappointed at the statement of the honorable member, that his sole object in voting for three members for Wellington City was to make the Bill appear as ridiculous as possible. He felt almost inclined to say, "Save me from my friends." He confessed that the debate which had taken place upon the Bill did not impress him with the truth of the proverb that "In a multitude of counsellors there is wisdom." They seemed to him, during the whole debate, to have been groping in the dark for principles, forgetting that great first principle, that expediency was the very essence of politics. And if it was so generally speaking, it was essentially so upon the question of representation. In his opinion it was the duty of the Government, when they saw particular districts or particular interests arising in the country requiring representation, to have brought such cases before the House, and provided for them. He was not one of those who advocated a reduction in the number of members in the House, neither would he like to see a largely increased representation of the Colony, but he did believe that the good government of the Colony, in a great measure, depended upon having a tolerably large number of members in the House. He knew he was speaking in a hopeless cause, and that anything he could say would not alter the decision already arrived at, but he thought it was clearly the duty of the Government to have "taken the bull by the horns," as an honorable member had expressed it, and not to have delegated the task to a Committee of the House, to be again delegated to Sub-Committees, who again called in the assistance of members of the different electoral districts, the result being the unsatisfactory Bill before them. It was a measure which he believed would not give satisfaction to the country. It would not place them in a position one whit better than before, while it would do a great injustice to many electoral districts, including that of Wellington City.

Mr. SWAN was sorry that he could not support the amendment of the honorable member

for Hampden, as he thought that the Bill, on the whole, was an improvement on the existing system. At the same time, he wished to state with respect to this Bill, in his opinion the Government had utterly mistaken their position. The one great mistake was that the provincial divisions had been preserved. If the Government had taken the bull by the horns in the readjustment of the representation of the two Islands, and, while preserving a due proportion of members between each, had ignored those provincial divisions, they would have had a better chance of an equitable representation than the Bill before the House would confer. He considered that giving Auckland only sixteen members while Wellington had nine was a monstrous injustice. Again, while Taranaki had three members, and Hawke's Bay two, the Thames gold field, with a population of 15,500, had only one. It was a most monstrous injustice, and any Government that could sit upon those benches and be parties to such a monstrous settlement of the representation were unworthy of the confidence of the country.

Mr. FOX hoped that the House would not divide upon the question. The Bill, which in itself was only a transcript of the Act of 1860, had been fully discussed. Of course, the objections taken to the measure regarded the schedules, and very strong language had been used in reference to the course adopted. They had been told by two honorable members that the Government should have taken the bull by the horns, but he assured honorable members that it was not a very pleasant position to be placed in, and he believed the further a Government kept themselves from the horns of the bull the better. The course the Government pursued was a reasonable one, and the only one likely to prove satisfactory. A Select Committee, consisting of twenty members, amongst whom every Province was represented, had been appointed. Great care had been taken in the selection of that Committee, and it was left to them to suggest what alteration they thought proper. The Government took the responsibility of deciding the extent to which additions to the entire number of members in the House should be made, and the House adopted the course the Government suggested. The honorable member for Timaru, the leader of the opposition, if he might so express himself, had said that he was perfectly satisfied with what the Government had done with regard to the increase. The alteration of the boundaries of certain districts was of little consequence to the Colony as a whole. It would be difficult, if not impossible, to propose a measure that would be satisfactory to all parties, but to his mind, the course pursued was most likely to do justice to all. The Government had been charged with shirking responsibility, but he thought that such a charge could not be made with any fairness. If such had been their object they would not have brought down, during the session, such large and important measures as they had brought under the consideration of the House. They might have adopted a different and a safer course. The matter had been before the Cabinet,

and had received deliberate and mature consideration, and he believed no other course than that adopted would have proved successful. If they had taken upon themselves to readjust the electoral districts in each Province, in all probability they would not have had a Bill passed at all this session. He did not believe such a Bill would even have passed its second reading. He trusted that the House would be satisfied with what had been done, for, to his mind, the result was the best they could have arrived at.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	41
Noes	...	...	...	...	12
Majority for					29

AYES.

Mr. Birch,	Mr. McGillivray,
Mr. Brandon,	Mr. McLean,
Mr. Carrington,	Mr. Moorhouse,
Mr. Clark,	Mr. O'Rorke,
Mr. Collins,	Mr. Parker,
Mr. Creighton,	Mr. Rolleston,
Mr. Curtis,	Mr. Russell,
Mr. Dignan,	Mr. Stevens,
Mr. Driver,	Mr. Studholme,
Mr. Edwards,	Mr. Swan,
Mr. Fox,	Mr. Tancred,
Mr. Gillies,	Mr. Tareha,
Mr. H. S. Harrison,	Mr. Vogel,
Mr. W. H. Harrison,	Mr. Webster,
Colonel Haultain,	Mr. Wells,
Mr. Kelly,	Mr. Williamson,
Mr. Kerr,	Mr. J. C. Wilson, C.B.,
Mr. Kynnersley,	Mr. W. Wood.
Mr. Ludlam,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Bunny,
Mr. Macfarlane,	Mr. Main.

NOES.

Mr. Armstrong,	Mr. O'Neill,
Mr. Barff,	Mr. Peacock,
Mr. Bradshaw,	Mr. Taylor.
Mr. Brown,	
Captain Kenny,	<i>Tellers.</i>
Mr. Mervyn,	Mr. Carleton,
Mr. Munro,	Mr. Haughton.

The Bill was then read a third time, and passed.

RESIDENT MAGISTRATES EVIDENCE BILL.

This Bill was received by message from the Legislative Council, read a first time, and the second reading fixed for next sitting day.

PAYMENT OF COMMON JURORS BILL.

The SPEAKER announced that he had received a message from the Legislative Council, stating that the Council agreed to a free conference on this Bill.

RAILWAYS BILL.

The House went into Committee of Ways and Means.

IN COMMITTEE.

Mr. VOGEL.—Sir, I moved that the House go into Committee for the purpose of proposing a resolution which will enable a Bill to be introduced to authorize the construction of certain railways. The resolution will be, That, in the opinion of this Committee, provision should be made for the construction of certain railways. It is purposely worded in this vague manner in order that, while satisfying the standing rules, which require that leave should be given in Committee of Ways and Means to introduce such a Bill, the necessity for discussion at this stage shall not be involved; because, until the Bill is actually before the House, it is not desirable that there should be discussion, since honorable members will be better able to realize the nature of the proposals of the Government when the measure itself is in their hands. I shall, therefore, ask honorable members who may object to the proposals of the Government not to raise a discussion at this preliminary stage, but to allow the formal resolution to be passed. The resolution will have to be reported to the House, and if it is adopted the Bill will be ordered to be read a first time. The second reading may, I think, be conveniently taken on Tuesday next; and that will be the most convenient time for any discussion upon the proposals embodied in the Bill. But, as there has been so much anxiety to learn exactly the intentions of the Government, and as there have been, during the last week, so many rumours, with more or less want of foundation, as to those intentions, it is desirable that a statement should now be made to the Committee, for the purpose of disclosing what the Government really intend on this subject. Honorable members will, I think, recognize that, in dealing with a measure of this kind, it is desirable—without its being at all necessary that a Government question should be made of each detail of the proposals—that there should be nothing like uncertainty or indecisive expression on the part of the Government as to what they do propose. The House has a right to expect a decided expression of the intentions of the Government; and I desire now to give such an expression. Some ten days ago, I stated to the House that there were certain railways which the Government thought it desirable, during the present session, to take authority to construct—railways as to which the Government believed that there was quite sufficient information before the House to warrant their at once asking for authority to construct those lines. Whether as an earnest of the intention of the House that railways should be proceeded with—or as a means of providing for the House a larger amount of information than could otherwise be provided, as to the terms that might be made outside the Colony for the construction of railways—or with a view of taking advantage of a favourable period for obtaining money, or of finding persons who are desirous of entering upon railway contracts—from any or all of those points of view, it was most desirable that some amount of information as to the intentions of the Government should be given to the House; and on the occasion

to which I have referred, I indicated certain lines of railway, in different parts of the country, as those for which the Government thought it desirable to ask authority during the present session. Immediately after that expression of opinion on the part of the Government—whether as a result of it I cannot say—there seemed to be an impression on the part of some honorable members that it was incumbent upon the Government to come down with proposals, not for railways in particular parts of the country, but from one end of the country to the other, and that that should be done immediately. I think I might almost ask somewhat of sympathy for the Government, under the urgent representations in favour of railways, which have been made to them during the interval of a few days since the statement to which I have referred was made. There is scarcely a part of either Island, at any rate from Auckland to the Bluff, as to which representations have not been made to the Government that it was desirable that railways should be constructed. It is not necessary that I should ask the attention of the Committee to all those representations; but there have been some representations made which notably have been the subject of a great deal of comment and of anxiety. There is nothing that can be regarded as a formal record of the decision of the Government upon those representations; and as to two of them, at least, I wish to trouble the Committee with some details, seeing that it is most desirable the opinions of the Government should be accurately known. One numerous deputation that waited upon the Government asked that authority should be sought, during the present session, to construct three lines, or portions of lines, of railway. Those lines were:—

1. From the present terminus of the railway constructed northward from Invercargill, at Winton, to Kingston, at the foot of Lake Wakatipu.
2. From Invercargill to the river Mataura.
3. From the river Waitaki (the boundary between Otago and Canterbury) southward to the port of Moeraki.

With respect to each of those lines, very strong representations were made, not only as to the importance of its construction being immediately commenced, but as to the probability of its proving a paying line. A still more numerous deputation made very strong representations in favour of the construction of a line from the city of Wellington to what is known as the Seventy-Mile Bush—a large extent of country, partly in Hawke's Bay and partly in Wellington Province—with divergences thence, west to New Plymouth, and east to Napier. It was strongly represented to the Government that those were lines from the construction of which not only would an important influence be gained in the direction of the settlement of the country, but that the construction of the lines would be the means of introducing a large number of settlers, and placing in useful occupation immense tracts of country now lying idle. It was urged by the deputation, that those lines could, or should, be constructed upon the principle of payment by grants of land—that not only the Seventy-Mile Bush, but the Manawatu block, and also a very large extent of land in the

Province of Taranaki, would all be available for the purpose. I shall ask the Committee to allow me to read* the answer sent to each of the deputations to which I have referred; for honorable members will thus be enabled to see what action the Government have thought it right to take in consequence of the representations made to them. I will first read the answer to the deputation respecting lines in the southern portion of the Middle Island. The letter is addressed to the Hon. Mr. Holmes:—

“August 26, 1870.

“SIR,—I have the honor to forward a written reply to the representations made by the deputation, on the 22nd instant, respecting certain suggested railways in Otago and Southland.

“The Government have carefully considered these representations, and have come to the following conclusions:—

“That it is very desirable that a bridge over the Waitaki should be constructed with as little delay as possible; and that authority for its construction should be taken, provided the Government are able to satisfy themselves as to its proper site: that the bridge should be made available for ordinary traffic as well as railway purposes.

“With regard to the railway from the Waitaki to Moeraki, the Government fully recognize its importance. It is, in fact, one of the works they desire to recommend to the consideration of the Assembly; but they do not think that they have sufficient information on the subject to entitle them to ask for absolute authority this session. They are, however, prepared to assure the deputation that the necessary information will be obtained; and that, during the next session, a proposal will be made to the House that authority should be given to construct the line.

“As to the railway between Invercargill and the Maitaura, the Government recognize its importance; but they think that there is even less information available as to it than there is to the Waitaki-Moeraki line, inasmuch as the route of the railway, and its nature—that is, whether it should be regarded as a trunk line or a branch—are subjects as to which it would be difficult, at present, to give to the House sufficient information. They are, however, prepared to assure the deputation that they will cause all the necessary information to be procured during the recess, and will make proposals to the Assembly next session for the construction of a line between the points mentioned.

“Concerning the proposed railway from Winton to Kingston, I am not able to give to the deputation any further assurance than this: That full information as to such a line will be obtained, and will be laid before the House next session; and that the representations made by the deputation will be carefully considered by the Government, when they come to decide whether they will be in a position next session to make to the Assembly a definite proposal for authority to construct the line.

“I may add that the Government intend—having regard to any railways which the Assembly

may, next session, think proper to authorize—at once to ask the House for authority to import a limited amount of material, so as to obviate delay in making a commencement with such works as the Assembly may, next session, authorize, in addition to those authorized this session.

“A copy of this reply has been sent to his Honor the Superintendent of Otago. I am, &c.

“JULIUS VOGEL.

“Hon. M. Holmes.”

The paragraph respecting authority being at once asked to import material, will be represented by a clause which it is intended to introduce into the Bill; and it will apply not only to the railways to which I am now referring, but to any lines which the House may next session authorize to be constructed. The amount to which the Government propose to ask for authority to import material is £25,000; and by so doing they hope to obviate delay in the commencement of works, if the Assembly approve of the construction of the lines which the Government may propose next session. I was not entirely accurate in the description I gave just now of the representations made by the deputation in reference to the line, or lines, from Wellington to the Seventy-Mile Bush, and thence to Napier and New Plymouth.

Mr. BUNNY.—Will the honorable gentleman read the statement which was sent to the Government? That will put before the Committee the entire views of the deputation.

Mr. VOGEL.—I was about to do so. The first recommendation made by the deputation was, that no authority to construct railways should be taken from the House during this session; and the second, that if authority was obtained with respect to any lines, those advocated by the deputation should be included. The Hon. Mr. Fitzherbert, who acted as chairman of the deputation, afterwards embodied its views in a written document, which I will read to the Committee:—

“24th August, 1870.

“SIR,—As chairman of the deputation to whom you were good enough to grant an interview yesterday and to-day in regard to the construction of certain railways in the North Island, I have been requested by that deputation to forward for your perusal a statement of the views I am requested to put forward. I have, &c.,—W. FITZHERBERT.

“The Hon. J. Vogel, Colonial Treasurer.”

“The deputation adheres to the opinion that it is unwise to proceed to the construction of any railway in either Island during the present financial year.

“Failing their views being assented to by the Government, the deputation urge that the lines of railway referred to in their interview of yesterday, namely, from Wellington to the Seventy-Mile Bush, then diverging east and west to Napier and Taranaki respectively, should be sanctioned this session by Act of the Assembly, conferring authority to enter into contracts for the construction of the same.

“It being understood that, during the present financial year the Government should undertake an outlay at least sufficient to conduct such surveys as may be regarded necessary by the Government

to determine the actual lines of railways, and that the Government should at least proceed to reserve and proclaim the roadways for such lines of railways so ascertained, and make the necessary arrangements with Superintendents of Provinces for ample reserves of land for railway estates and immigration, within the present financial year."

The answer sent to the deputation, after the receipt of that written statement of its views, was as follows:—

"24th August, 1870.

"SIR,—I have the honor to forward you a written reply to the representations made by the deputation on the subject of railways.

"I have to acknowledge the very friendly and considerate tone adopted by the deputation towards the Government.

"The representations made by the deputation, I understood to be—

"1. That it would be better to abstain from seeking authority to construct any railway until the Assembly meets again.

"2. That if such authority is given in respect to any railway, it is right that consideration should be given to the very important lines advocated by the deputation, namely—A line from Wellington to the Seventy-Mile Bush, thence diverging east and west to Napier and New Plymouth, through Wanganui and Patea.

"In respect to the first representation, the Government are disinclined to prevent those railways being constructed at once, concerning which adequate information can be afforded, and for the construction of which, in all probability, the Assembly—irrespective of the policy which has lately received such large support—would, on the strength of local credit, have given authority during the present session, independent of any general plan. Again, the Government consider it highly important that they should be armed with power to make a commencement, so as to be in a position to enter into authoritative negotiations with those who, their attention once turned to the Colony, might be disposed to contract largely for future works, and to introduce a considerable amount of capital. The experience which will be gained, if this power be given to the Government, will be very useful in helping to a decision as to future arrangements.

"In regard to the second representation, respecting the particular works mentioned by the deputation, I have to state that the Government do not by any means undervalue the importance of the lines referred to. They recognize that, as a means towards settling the North Island, the construction of those railways would be of the highest possible value; but they are also of opinion that it would be found desirable that those lines should be constructed in connection with plans for the introduction of settlers, to be located on portions of the districts through which the lines would pass.

"The construction of the two lines will render available immense tracts of land, such as the Seventy-Mile Bush, the Manawatu block, and a great quantity of land in Taranaki. It appears to the Government that this land may not only

be made a means of contributing towards the cost of the railways, but that, concurrently with the construction of the lines, there should be carried out a plan for the introduction of settlers.

"It might or might not be necessary to add some small guarantee to the payments made in land.

"After maturely considering all the circumstances, and with every disposition to see those lines receive prompt attention, it appears to the Government that the end in view is as likely to be gained by their abstaining from asking specific authority from the Assembly until next session, as it would be difficult now, without prejudice to the negotiations which might take place, sufficiently to define the nature of the arrangements which it was desirable to make.

"There is another objection to prematurely seeking a specific authority from the Assembly. It might, and probably would, prejudice the negotiations, which are still pending, for the acquirement of part of the Seventy-Mile Bush.

"But I am prepared, on behalf of the Government, to assure you that, during the recess, surveys will be made of the lines, and all particulars as to the probable nature of the traffic obtained—that so much of the land as can be secured will be set apart for railway and immigration purposes—that an endeavour will be made to open up negotiations with those willing to construct the lines upon favourable terms—and that full information on the subject will be laid before the Assembly next session, together with such proposals, based upon that information, as may seem to the Government best calculated to effect the object in view, with advantage to the Colony.

"I am prepared to make a similar assurance in the House; and I hope that this will be satisfactory to the deputation. I have, &c.,

"JULIUS VOGEL."

I am most anxious that honorable members should understand precisely the action of the Government with regard to these matters; and I will therefore recapitulate the principal points of the replies to the deputations, and will add some short explanations thereto. The Government have not considered it desirable—no matter how anxious they were to entertain the representations of the deputations, and admitting that there was much force in the arguments used in favour of immediate authority being sought for the construction of these railways—to abandon the position they have taken up, namely, not to ask from the House absolute authority to construct any line, as to which there was not immediately available that amount of information which, when the Immigration and Public Works Bill was passed, it was understood should be provided for the House, before such authority was sought. Therefore, the Government answered to the deputation from the Middle Island—That as to the Invercargill and Maitara line, they regarded it as one most worthy of consideration, but that there was not sufficient information as to it, to justify their asking for authority to construct the line—that, indeed, the information was not sufficient to

enable the House to decide the route by which the line should be taken, nor as to whether the railway should be constructed as a trunk line or only as a branch; but that the Government would, during the recess, obtain the necessary information, and would lay it before the House next session, together with proposals for the construction of the line. As to the line between Winton and Kingston, it was replied that the Government could not even undertake that they would next session propose to the House that the line should be constructed; but that they would obtain information, and would carefully consider the representations of the deputation when they came to consider whether they should include the proposed line with those for which they might resolve that it was desirable to ask authority next session. That assurance has been given in a purely unbiassed spirit; and the Government will thoroughly consider the information they may obtain, and will act precisely in accordance with the result of that consideration. With respect to the line from the Waitaki to Moeraki, the Government have replied definitely that they regarded it as one which it was desirable should be constructed; that they regretted not being able to lay before the House sufficient information to warrant their asking, this session, for authority to construct the line; but that information would be obtained during the recess, and that they would next session make proposals to the House with a view to the construction of the line being authorized. In the meanwhile—the deputation had been informed—the Government will this session ask the House for authority to construct a bridge over the Waitaki, so as to connect the Provinces of Otago and Canterbury, provided the Government are able to satisfy themselves as to the position it should occupy, in order to form part of a main trunk line through the Middle Island. If they are able to satisfy themselves as to that point, the Government will, by the Bill which it is sought to bring in, ask for authority to construct the bridge. It is to be understood that the bridge will be designed primarily for railway purposes, but so as to be also available for ordinary traffic. In respect to the lines from Wellington to the Seventy-Mile Bush, thence diverging east and west to Napier and New Plymouth, the Government have, in their reply to the deputation, expressed—and I now repeat to the Committee—the warmest possible sympathy with and approval of the proposal: that is to say, the Government concede that it would be highly desirable to construct the lines, on the principle of payment being largely made by grants of land in districts through which the railways would pass, and in view of the large extent of country which they would open up for settlement. Honorable members will be aware that railway undertakings upon that principle have been very numerous in the United States; and it is well known, too, that negotiations are going on at home for the construction of a line in the Province of Nelson, for which payment is to be to a large extent made in land. Seeing that land generally in that Province,

however desirable it may be, can scarcely be said to be of the most promising character, we may conclude that the very large tracts of very excellent land which will be available for the proposed lines to which I am now referring, will be a sufficient inducement to contractors to undertake the works, with or without a small guarantee, as may be found necessary. The Government are of that opinion, at any rate; and they undertake to obtain the necessary information during the recess, and to bring down some proposals next session as to the construction of the lines. Such have been the answers of the Government to the pressure which has been brought to bear to induce them to extend their original propositions to the House, as to the lines for the construction of which authority should be asked this session. It may, possibly, seem to some honorable members unnecessary for me to have detained the Committee so long with these explanations; but I think that it is most important—especially in the early history of the working out of the colonizing proposals made by the Government—that the House should be informed with minute accuracy of all the proceedings which lead to the Government asking for authority to proceed with railway or other works. Honorable members were, I think I may say, with eight or nine exceptions only, unanimous in approving generally of the policy of the Government. Such doubt as did exist in the minds of supporters of the policy, arose in consequence of the fear which some of them entertained as to the way in which the Acts intended to give effect to that policy might be worked. Firstly, there was a sort of doubt whether the Government would be strong enough to resist any pressure or inducement to use the Acts for the purpose of obtaining, or of consolidating, political influence; and, secondly, whether it would, under any circumstances, be possible to administer the Acts usefully for the Colony. That second doubt must remain for solution in the future: the Government have no doubt on the subject. But as to the first doubt, I hope it will be admitted that the Government have shown that the Acts may be administered without their being made the subjects or the objects of political influence or party feeling. I desire, before sitting down, to give to the Committee a general recapitulation of the works for which the Government propose to take authority this session. I must necessarily repeat, in substance, what I said on a former occasion; but it will make my present explanation complete. By the Bill, preparatory to the first reading of which I ask the Committee to agree to the resolution now before it, we shall seek authority to construct a railway from Dunedin to the Clutha, by a guarantee not exceeding $5\frac{1}{2}$ per cent. for a term not exceeding thirty-five years, on an average cost not exceeding £5,000 a mile; or, as an alternative, to construct the line by direct payment, the money required in excess of the Province's share of the Middle Island railway fund, to be borrowed, the whole cost not to exceed £5,000 a mile.

MR. KELLY.—Can the honorable member give

us the length of the lines, as well as the proposed cost per mile?

Mr. VOGEL.—About fifty miles, the line I have mentioned; but I must ask honorable members to recollect that I am now only indicating the direction, and so on, of proposed lines, and to allow me to reserve fuller particulars for another occasion. In Canterbury, the system of direct payment for railways has been in force, and it would be considered a very great hardship by the people there, if another system was now to be adopted; so we ask the House to allow certain lengths of railway in Canterbury to be constructed by direct payment, the amount required in excess of the Province's share of the Middle Island railway fund, to be borrowed. I have here a letter which was addressed to the Government by the honorable member for Avon, the Superintendent of Canterbury, in which he not only states his anxiety to procure immediate assistance under the Act, but he describes the nature of the proposed lines, and the inducements held out for constructing them. As to the lines, the honorable member writes—

"They are as follows:—

"1. The portion of the Great Northern line of railway between the Addington station on the Southern railway and the town of Rangiora, a distance of nearly nineteen miles.

"2. The portion of the Great Southern Railway which lies between the present terminus of the line now in work, and the river Rakaia, over which a bridge is now in course of construction. The length which I suggest should be proceeded with is about eleven miles ten chains.

"3. The portion of the Southern trunk line between Timaru and Timuka, commencing from the former place, which is the port of a very considerable agricultural district—a distance of about 12 miles.

"The total estimated cost, as shown in the memorandum, will be as follows:—No. 1, say, £92,500; No. 2, say, £48,000; No. 3, say, £60,000: total, £200,500."

As to No. 3, I may explain that the Timaru and Gladstone Board of Works undertake to provide £7,000 towards the cost; and a condition to that effect will be embodied in the Bill. The next work is the bridge across the Waitaki. On an agreement being made between the Governor and the Superintendents of Otago and Canterbury, for charging the cost on Otago and Canterbury—and provided he is satisfied the bridge is to be situated so as to be on the route of the line of railway from one Province to the other—the Governor may construct a railway bridge across the Waitaki; the cost not to exceed £35,000, and the money to be obtained by borrowing under the Loan Act; the bridge to be made available for ordinary purposes as well as for railway traffic. Two other lines in the Middle Island will be included in the Bill—1. Picton to Blenheim, to be constructed under a guarantee, not exceeding £3,000 a mile.—2. Nelson to Cobden; cost of construction to be paid in land, excepting the portion from Nelson to Foxhill, on which it will be proposed that a guarantee, not exceeding £3,000 a mile, shall be allowed. For the North Island,

a line between Auckland and the Waikato Bend will be included in the Bill, a guarantee being offered not exceeding £4,000 a mile. A clause will be added to the Bill, authorizing the Governor, if, in his opinion, it will enable such lines as the Assembly may authorize next session, to be commenced more quickly after such authority has been given, to import material to the amount of £25,000. The Bill will contain a clause which will rigidly require that certain conditions shall be incorporated in the instrument by which any guarantee for the construction of a line is to be secured; those conditions being to the following effect:—

"1. The Governor to acquire the land for the railway stations works and buildings connected therewith, and to lease the same to the contractors for a period of ninety-nine years, at a nominal rent, or for such other period as may be agreed on, with reasonable conditions of forfeiture, in the event of the contractors failing to fulfil the contract, and the said railway and all stations buildings and works connected therewith, to be free from all rates taxes and charges whatever.

"2. The contractors to pay from time to time to the account of the Government, the money to be spent on the works.

"3. The Governor or such person or persons as he may appoint, to approve of the construction of the works.

"4. The contractors to construct the railway with reasonable diligence, and within a period to be specified in the contract.

"5. The contractors to undertake to keep the railway in repair; to run trains upon the line as often as in the agreement may be mentioned; to maintain such a rate of speed as may be agreed on, but that rate to be not less than ten miles an hour when the guarantee is upon any sum not exceeding three thousand pounds a mile, and to be not less than fifteen miles an hour when the guarantee is upon a sum exceeding three thousand pounds per mile; and to adopt such rates of fares as the Government may direct, during the period during which the guarantee shall be payable.

"6. Provision enabling the Governor at some period to be named, not exceeding twenty years, to purchase the railway at a valuation, on giving twelve months' notice in writing that he desires to purchase.

"7. Provision that a portion being not less than one-quarter of the net profits above the amount of the guarantee, shall be paid to the Governor, to recoup any money paid by the Governor on account of the guarantee."

There will also be clauses for securing free conveyance of mails, and military and police forces when on duty; and also for the construction of telegraphs along the respective lines. Another clause will embody the substance of the replies given to the two deputations, and which I have read to the Committee. It may be said by some honorable members, that it is altogether unnecessary to insert such a clause—that the Government having given to each deputation specific assurances, and the Immigration and Public

Works Act giving to the Government power to cause surveys to be made, and leaving it always open to the Government to make recommendations to the House, any such clause cannot be needed. But by the course proposed to be followed, not only will the record of the assurances given be established beyond doubt, but the House will be enabled to discuss the question of those assurances. The clause which the Government intend to insert in the Bill is the following :

"The Governor is hereby authorized to cause such inquiries, reports, and surveys to be made, and such acts and proceedings to be done and taken, for enabling him to submit to the General Assembly, during the next session, proposals for the construction of the railways specified in schedule B."

Schedule B. will read thus:—

"From Invercargill to the Mataura; from Moeraki to the Waitaki; from Wellington to Seventy-Mile Bush, thence diverging east and west to Napier and to New Plymouth."

I may appropriately give here an explanation with respect to a proposed line from the Waitemata to the Kaipara, although no mention of it will appear in the Bill. One of the first representations made to the Government after the Immigration and Public Works Bill had been passed by this House, was as to the desirability of constructing a line from the Waitemata to the Kaipara. It was represented to the Government that not only would this line be a paying one, but that it was one which, by its immediate effects, would probably be more beneficial to the Province of Auckland than any other line. The Superintendent of the Province, the honorable member for Mongonui, after consultation with the other Auckland members, made a proposal which certainly appeared to me the most rational one that could be made, namely, that the funds for constructing the railway should be found and should be handed over to the Government, so that the line might be constructed under the Immigration and Public Works Act—in other words, that authority should be taken to construct the line, conditionally on the funds being found by the Province of Auckland. That was, I think, the highest possible compliment that could be paid to the Government measure; and it came with very good grace from the honorable member for Mongonui, because, not having been favourable to that measure during its earlier stages, the proposal showed that, on the measure becoming law—a result which we must all most earnestly desire should not be delayed—he was prepared to recognize it, and to use it for the benefit of the Province, and not to attempt to throw obstacles in its way. I conferred with the honorable member on the subject; and it was agreed that, on the whole, the better course would be for the Province not only to find the funds but to construct the railway. If the work were done under the Act, a longer delay might be necessitated than would be agreeable to the provincial authorities; because it might, and probably would, be the case, that we should prefer to act only upon the professional advice

of our own engineers—whom we have not yet secured—while the provincial authorities would feel that they could safely rely upon the engineers who have already examined into the matter. Therefore, instead of the Waitemata and Kaipara line being included in our Railway Bill, the understanding, I believe, is that it will be constructed by the provincial authorities themselves. But what has passed as to the line is most satisfactory to the Government; because it is evidence, not only of a desire for railways in the Colony, but of confidence in the machinery for the purpose which is provided in the measures already passed this session, or which are proposed by the Government. I will venture to ask that, whatever opinions honorable members may have as to the Bill which I have now sketched, no discussion may be raised at the present stage. The resolution has purposely been made as general as possible; and any discussion will be much more conveniently taken when the Bill has been printed and circulated, and the question of its second reading is before the House. The Government have thought it most desirable that such a statement as that which I have now had the honor of making should be made as early as possible; so that, on the one hand, it might be seen that we were not unmindful of the patient consideration due to claims from all parts of the country as regards railways, and, on the other hand, that the House might feel that it could with confidence rely on the strength of the Government, and their determination, not to yield to any pressure to extend operations under the Act, beyond those limits which are consistent with good faith to the House and advantage to the country. The great consideration with the Government is, how to work their measures with advantage to the Colony. The responsibility which devolves upon the Government, in connection with the colonizing measures passed this session, is so great, that honorable members should, I think, recognize that all mere local or party feelings are necessarily swept out of the mind of the Government; and that they think only of how best to carry out a policy which must reflect political discredit upon themselves if it does not succeed, or which must lead the House hereafter to recognize that the Government were justified in having taken upon themselves so large a responsibility. Under the weight of that responsibility, I say it would be quite impossible for the Government to be influenced by any petty local influences, or by a desire to show favouritism or to do injustice. I am not vain enough to declare that we shall be able to give effect wisely to that which we desire; but I can say, with confidence, and without vanity, that we desire to prove that these our measures are worthy of the support which has been given to them by the House and the country. I beg to move the resolution standing in my name.

The resolution was agreed to, reported to the House, and the report ordered to be considered next sitting day.

CUSTOMS DUTIES BILL.

The House resolved itself into a Committee of

the whole to consider of giving leave to bring in a Bill to alter the duties of customs.

Mr. BIRCH read a petition from the saddlers and harnessmakers resident in the city of Dunedin, praying for a remission of the import duties on the articles used in their trade. He said the object of the petitioners was simply to have the materials used for the manufacture of saddlery and harness admitted free of duty into the Colony, so as to give the New Zealand manufacturers an opportunity of making the articles in the Colony, to compete with the neighbouring colonies and other foreign manufacturers.

Mr. VOGEL said the loss to the revenue by admitting those articles duty free would be very inconsiderable. The Government would be prepared to include articles of saddlery among the articles on which the duty was to be remitted. The loss to the revenue would not exceed £400 in the first year, and there was no doubt that, by admitting those articles free of duty, a considerable impetus would be given to the manufacture of saddlery in the Colony. He begged to move that leave be given to bring in a Bill to alter the duties of customs.

Resolution agreed to, reported to the House, read a first and second time, and agreed to.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Monday.

REAL PROPERTY BILL.

This Bill was considered in Committee, reported to the House, and the third reading fixed for Tuesday.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

This Bill was considered in Committee, reported without amendment, read a third time, and passed.

CROWN GRANTS BILL.

This Bill was considered in Committee, and reported with amendments, which were ordered to be considered on Tuesday.

MARRIED WOMEN'S PROPERTY PRO- TECTION BILL.

Mr. FOX, in moving the second reading of this Bill, said it had originated out of the Bill which, upon the motion of the honorable member for Grey and Bell, had been referred to a Select Committee of the House. In the course of the discussion upon that Bill, attention had been called to the state of married women's property in certain emergencies, and the Bill before the House had been, in consequence, introduced and passed in the Legislative Council. The object of the Bill was to extend the powers given to magistrates and justices of the peace by section 2 of "The Married Women's Property Protection Act, 1860." In addition to the cases provided for by that Act, the second section of the proposed Bill was intended to apply in the following cases:—When a wife was subjected by her husband to such cruelty as, without adultery, would entitle

her to a judicial separation under any law for the time being in force in New Zealand; where the husband of any woman was guilty of living in open adultery; and where the husband of any woman was guilty of habitual drunkenness. By section 3, it was lawful for the resident magistrate or justices of the peace in petty sessions by whom any order was made under the provisions of the said Act or of this Act, in any case in which the wife may desire the same, by the same or by any separate order, to direct that the wife shall have the exclusive custody of any infant child or children of the marriage until such child or children, if male, shall attain the age of ten years, and if female, the age of eighteen years, or marriage. Honorable members would see that an Act of this kind was essentially necessary for many unfortunate married women. Although it did not give them the larger rights claimed for them by the Bill proposed by the honorable member for Grey and Bell, this small measure of protection, in extreme cases, would be found of great importance and utility in this country. He therefore begged leave to move the second reading of the Bill.

Mr. RICHMOND was not indisposed to receive the small modicum of protection given by the Bill to married women. It was, as had been said by the Premier, a small measure of protection, but, such as it was, he accepted it thankfully. He thought the provisions of the second clause were somewhat too stringent. It was constituting the magistrates judges of a divorce court. He thought cruelty, without adultery, would be quite sufficient limitation in certain cases. The Bill would fail of accomplishing all they desired, inasmuch as few women would be found willing to come forward and expose her misfortunes and misery until the little property she might have had was squandered and dissipated by her husband. He believed that the Bill he had submitted to the House, read along with the common law, was not more than the necessities of the case demanded, and the day would come when it would be passed into law.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

BANKRUPTCY BILL.

Mr. FOX moved that the committal of this Bill be postponed until Monday.

Mr. BIRCH should prefer that the Bill be considered in Committee at once. As a representative of an important section of the community, he accepted this measure as some instalment of what would follow. He knew nothing of the motives of those who objected to the Bill, but he accepted it as a tradesman, more especially the fourth part. He could assure the House that the bankruptcy law which had been in force for the last few years had been of such a character that the honest tradesman could scarcely exist. The chambers of commerce had adhered to this Bill, and were prepared to carry it into operation. He therefore indorsed the views of his constituents, and would inform the House and the Government

that he was prepared to accept the Bill as it stood. He objected to the Bill being thrown out altogether, because it was a good measure.

Mr. ROLLESTON knew that in another part of the country the Bill was looked for very anxiously by people who had a large interest in it. The measure had received great attention in the Upper House, as well as from the Government and the chambers of commerce. He would suggest that it should be passed through Committee in the manner which had been adopted in regard to the Land Transfer Bill.

Mr. HAUGHTON said that it was very irregular to take a debate upon such a motion. He had thought that the honorable member for Avon was the last member of the House who would get up and say that he would allow himself to be dictated to by chambers of commerce. If the honorable gentleman desired to stay until the Bill passed, he would have to remain in Wellington for the next three weeks, because those who opposed it would divide upon every clause, and, besides, he intended to take up some time by making a few remarks on the subject.

Mr. ROLLESTON had never said that he was dictated to by chambers of commerce or any other bodies outside of the House. What he had said was that the Bill had been carefully considered by the Government and that the representatives of commerce had given their suggestions, and it would be thoroughly satisfactory to every part of the country.

Mr. RICHMOND said that the honorable member for Avon was very sanguine as to the result of the measure, but he (Mr. Richmond) had seen several bankruptcy measures brought in and none of them had ever given any satisfaction. The one objection to all Bankruptcy Bills was that where there were no assets, they did not create 20s. in the £, and without that result, they would never be satisfactory. He had a great dislike to seeing any Bills pushed through in a hurry, and he should think it right to illustrate his remarks in Committee upon this Bill with copious references to reports on previous Bankruptcy Acts. He should support the honorable member for Hampden.

Mr. CRACROFT WILSON, C.B., said if they were to have a Bankruptcy Act at all they should endeavour to have a measure that would enable them to give some portion of a bankrupt's estate to the creditors. The Acts which had hitherto been passed had not been Acts for the relief of the creditor but for the relief of the fraudulent debtor.

Mr. STEVENS trusted the Government and the House would endeavour to pass a measure of such great practical utility during the present session. Although the Bill was far from being perfect, it would be a very considerable improvement upon the present system. It was idle to expect that a Bankruptcy Act could be made to work with complete satisfaction in New Zealand.

Mr. BUNNY said the Government had stated that they would bring down, next session, a law to consolidate the Bankruptcy Acts, and the present was not the time to rush through a measure of

such importance as that then under consideration. He would assist any honorable member in attempting to prevent the Act becoming law during the present session, but he trusted the Government would see its way to withdraw the measure.

Mr. MACFARLANE regretted that a discussion should have taken place on that occasion. There were certain clauses in the Bill which were absolutely necessary to be passed, in order to carry out the trusts already in existence. The present Bill had come from the other House, where it had received the most mature consideration; and comparatively little was to be done in order to carry it through that House in a satisfactory shape.

Mr. LUDLAM hoped the Government would endeavour to have the Bill passed into law before the session closed. His constituents were desirous that the present bankruptcy law should be amended, as they considered it to be nothing more than the means of encouraging fraud. There were principles in the Bill which were in advance of the present system, and if the House only adopted a few of them, it would do much towards protecting the honest trader.

Mr. PEACOCK trusted the Bill would be passed during the present session, as it would be of some use, next session, as a guide to them in framing the law to consolidate the existing Bankruptcy Acts. In consequence of the many evils which could arise under the existing law, it would be their duty to pass the Bill even at that late period of the session.

Mr. GILLIES said that no one was more conscious than himself of the badness of the existing law. He quite agreed that it was as bad as it could well be; the only thing that could make it worse would be to pass this Bill. He did not say that the law did not require to be amended, but that might be done by passing two or three clauses to remedy some of the defects of the existing law, and to make it workable; but this Bill would do nothing of the kind. An honorable member said the 10s. clause would be a great advantage, but the 10s. clause would not prevent the evils he referred to; besides which, it was pretty well known that any man who could pay 10s. in the pound after going through the Bankruptcy Court, could have paid 30s. in the pound before he went into it. He hoped the Government would only attempt to amend the existing Act so far as to enable it to be worked, and that they would not attempt to carry this Bill. Though the Bill contained only some sixty clauses, the schedule contained as many more, and which were really as much a part of the Bill as the others. He confessed that he had not had time to consider the Bill carefully, so as to ascertain what the whole effect of these clauses and the schedule would be, but, so far as he had been able to consider them, it appeared to him that they would only make confusion worse confounded. Unless the Government adopted that course, he should lend his aid in endeavouring to shelve the Bill altogether.

Motion agreed to.

TARANAKI VOLUNTEERS.

ADJOURNED DEBATE.

Mr. McLEAN said the debate was adjourned for the purpose of obtaining further information. It appeared that the Superintendent of the Province of Taranaki shortly expected information as to the extent of land that would be required for this purpose. Until that information came to hand, it would not be desirable to proceed with the motion.

Mr. KELLY said that if the debate was further adjourned, it would be simply tantamount to shelving the question for this session. The number of persons entitled to claims under the Act was very limited. It practically included only those who had served as Volunteers, or in the Militia, during the late war—his own belief was that Volunteers who had not been on active service were practically excluded, by the condition of length of service, from any claim. It would only apply to those who had fought in the field against the enemy on many trying occasions. These men had served the Colony well at a time when the services of no others could be obtained.

Mr. FOX had no objection to the motion of the honorable member, provided it did not apply to confiscated land. There was no objection to these parties selecting their land out of the ordinary waste lands of the Colony, as it would then be only a provincial question; but he did not think he should be justified in allowing them to make their selections out of the confiscated lands. If the honorable member would add the words "not being confiscated lands" to his motion, he would agree to it.

Mr. KELLY said if he were satisfied with that, there would be no necessity for coming to this House at all, because the Superintendent and Provincial Council had power to do that already. As the Act had been passed without any solicitation on the part of the Volunteers, they were entitled to consideration at the hands of the House, especially as they had seen other persons, who had not performed one-tenth of the same amount of service as themselves, receive valuable lands. The request which these parties made was a very modest one indeed, and as it would not entail any large outlay, it would be only a graceful acknowledgment on the part of the House to grant it to them.

Mr. CARRINGTON thought the course suggested by the Defence Minister was the best to pursue. They should wait until they had obtained further information from Taranaki. He believed there were about 300 entitled to the land, but of that number there would not be perhaps twenty who would get it under the Act.

On the motion of Mr. CRACROFT WILSON, C.B., the debate was adjourned until Monday.

MILITIA AND VOLUNTEER SERVICES.

The resolutions adopted in Committee of the whole House, with respect to the Militia and Volunteers regulations, were agreed to.

The House adjourned at twenty minutes to one o'clock a.m.

LEGISLATIVE COUNCIL.

Monday, 29th August, 1870.

Wellington Gas Bill—Schools of Mines and Agriculture—Wairau Valley Roads Reservation Bill—Town of Gisborne Land Sales Validation Bill—Married Women's Property Protection Bill—Order of Business—Immigration and Public Works Bill—Dangerous Goods Bill—Nelson Waste Lands Bill—Nelson Crown Lands Leasing Bill—Post Office Bill (No. 2)—Native Lands Frauds Prevention Bill—Otago Hundreds Bill—University Bill—Representation Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

The Hon. Mr. JOHNSTON brought up the report of the Private Bills Committee on the Wellington Gas Company Bill.

SCHOOLS OF MINES AND AGRICULTURE.

On the motion of the Hon. Mr. GRAY, it was ordered, That the time for bringing up the report of the School of Mines Committee be extended till Tuesday next, the 30th August.

WAIRAU VALLEY ROADS RESERVATION BILL.

The Hon. Mr. SEYMOUR moved, For leave to bring in a Bill intitled "An Act to extend the time allowed by 'The Crown Grants Act, 1866,' for taking certain roads in the Wairau Valley, in the Province of Marlborough."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

MARRIED WOMEN'S PROPERTY PROTECTION BILL.

The Hon. the SPEAKER announced that he had received the following message from the House of Representatives:—

The Married Women's Property Protection Bill, which they had passed with amendments.

It was ordered that the amendments should be considered next sitting day.

ORDER OF BUSINESS.

The Hon. Mr. SEWELL moved, That orders of the day from 1 to 13 inclusive be postponed, to enable order of the day No. 14, the Immigration and Public Works Bill, to be taken into consideration.

Question put, "That orders of the day 1 to 13 inclusive be postponed, to enable order of the day No. 14 to be taken into consideration," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	14
Majority for	...	...	...	...	1

AYES.

Mr. Bonar,	Mr. Miller,
Mr. Campbell,	Mr. Sewell,
Mr. Chamberlin,	Mr. Seymour,
Captain Fraser,	Mr. Stokes,
Mr. Gray,	Mr. C. J. Taylor,
Mr. Hawdon,	Mr. Waterhouse,
Mr. Holmes,	Colonel Whitmore.
Mr. McLean,	

NOES.

Dr. Buchanan,	Mr. Pillars,
Mr. Johnston,	Major Richmond, C.B.,
Colonel Kenny,	Mr. Robinson,
Mr. Lee,	Colonel Russell,
Mr. Mantell,	Mr. H. R. Russell,
Mr. Nurse,	Mr. J. P. Taylor,
Mr. Paterson,	Mr. Wigley.

The motion was consequently agreed to.

IMMIGRATION AND PUBLIC WORKS
BILL.

ADJOURNED DEBATE.

The Hon. Mr. CAMPBELL.—Sir, I must express my regret that it is not the wish of a large number of honorable members of this Council to proceed with the debate at once. I think, however, that it is desirable to advance the measure a little, inasmuch as I understand many honorable gentlemen wish to address the Council, and that there is no probability of the debate being concluded this evening. I must say, also, that I consider that all those honorable gentlemen who may now rise to speak on a question of this kind at so late a period of the debate, do so under considerable disadvantages, because they must feel, as I do, that many honorable gentlemen who have already addressed the Council have given expression to opinions almost identical with their own, and because I am sure the members of the Council are anxious to proceed to consider the various amendments which are to be proposed in Committee. I must express my regret, which is shared by other honorable members, that the Government have been unable to bring before the Council that information and data respecting their schemes which their magnitude demands, but at the same time I recognize, as I think every other honorable member will do, that it was only during the last three or four months the Government could bring before the Parliament a measure of this magnitude, for it has been only during that period we have enjoyed comparative tranquillity. Sir, ever since the financial statement was made, I have given it the most anxious consideration; I have done so, not with a desire to support the Government or those gentlemen who oppose them, but in order to enable me to arrive at a satisfactory conclusion as to whether it was a measure calculated to mar the progress of the Colony or to place it in a state of prosperity. I am not one of those who wish to sell out of the country: I have a great stake in it, and am, therefore, deeply interested in its welfare. I regard the measure as one which should not be considered as a party question; it is one which will affect the country either for weal or for woe for many years, and it must therefore be regarded as one of the most important questions

that has ever been brought under the consideration of the Parliament and the country. Having stated so much, I may say that, in the remarks I shall make, I do not intend to confine myself entirely to the particular measure now under the consideration of the Council, but that I shall refer to the various financial Bills which have been introduced. As I have already stated, I look upon this measure as one of the most important of all the Government financial Bills; but there are other important matters, and I am of opinion that they should be taken together. With regard to the capitation allowance to the Provinces, that, I may state, meets with my hearty support. We are now considering a question of colonial importance—whether the partnership which has existed hitherto between the Colony and the Provinces should cease, and instead of a floating there should be a fixed capitation allowance. Coming to the defence question, I may state that I think it is desirable that the burden which must be borne in order to relieve the country from the sad consequences of war, and place it in a state of tranquillity, should be borne by future generations as well as by those who live in the Colony at the present time. I also approve of funding the present floating debt. I think that it is very undesirable, and that it is a very hazardous undertaking, for us to have engagements floating about which we might suddenly be called upon to meet when the rates of interest in the money market may be high. A panic in the money market at such a juncture would lead to great embarrassment. It is difficult to discover, on first reading this Bill, the amount of liabilities the Colony may be called upon to bear if it is passed. I have noticed that some honorable gentlemen have estimated the amount at £11,000,000; some have spoken of the probable amount as £12,000,000, and £13,000,000, and others have estimated it at £15,000,000, and I confess that, on first reading the Bill, I found it difficult to ascertain the exact amount of the liabilities which it is proposed to incur. As far as I can make out, the money which will be spent, in cash, will, as near as possible, be as follows:—For railways, provincially charged, £1,600,000; immigration, provincially charged, £1,000,000; water to gold fields, provincially charged, £300,000; purchase of land in North Island, £200,000; roads in North Island, a colonial charge, £400,000; railways in Middle Island, a colonial charge, £400,000; telegraph, £60,000; non-appropriated, £40,000, making a total of £4,000,000. That, Sir, I believe, is the amount of cash proposed to be spent by the Government, in addition to which there will be £790,000 for defence purposes, the expenditure of which is to be extended over a period of five years. In addition to that, it is proposed to set aside two and a half millions of acres of land in respect to the construction of railways, and also to guarantee interest in connection with the railways to the extent of five and a half millions. I say that the total amount of indebtedness which the Colony will undertake by the adoption of these proposals, as regards the outside creditor, will be £4,790,000.

It is also proposed to hand over to contractors for the construction of the railways, land to the extent of two and a half millions of acres. But I do not look upon the alienation of that land in connection with the construction of these railways as incurring an extra liability; it might with equal truth be said that all money realized from the sales of land has been to increase the indebtedness of the country, and that all moneys spent on roads and immigration, which were derived from the sale of lands, have tended to impoverish the country. I look upon this setting aside of two and a half millions of acres of land as merely the transfer of one asset for another. The proposal to guarantee the interest on five and a half millions is another matter altogether, but I do not see that that will increase the colonial indebtedness, because, as I understand the proposals of the Government, they propose, in the first instance, to take collateral security, in the shape of land from the Provinces; therefore, after all, it is a similar thing to a man indorsing a bill, and taking collateral security for that indorsement—he incurs a liability, but he does not add to his indebtedness. Therefore, if the Government should set aside certain land without increasing its liability, it will not add to the indebtedness of the country. Sir, I entertain the opinion that the sooner the Colony parts with all its public estate, the better it will be for the interest of the people. I do not think a worse landlord could be found than the Government. They are open to all sorts of pressure, which is brought to bear by various parties, and there is no doubt that, in connection with the administration of the landed estate by the Government, a considerable loss is entailed. It would not be desirable, however, for the land to be alienated too suddenly, although I think it would be advisable for the Government to take steps to part with the whole of the land of the Colony as soon as they can get value for it in public works, immigration, or in other ways. It has been said that if the land is granted to contractors the result will be that it will get into the hands of a few persons, and that the lands will thus be locked up. I entertain an opinion in regard to this question, an opinion which differs, perhaps, from that held by many other persons respecting it. I consider that it would be undesirable, at the present time, that the whole of the land of the Colony should get into the hands of a few people, or, on the other hand, that there should be no rich landed proprietors. I think that a judicious mixture of large and small holdings would best tend to further the interests of the country as a whole; indeed, Sir, I cannot imagine anything more disastrous than that this country should be held entirely by small landed proprietors, and that all capital and wealth should be excluded from the country. I think it would have been better if many who have spent their last farthing in obtaining land had been tenants instead of landed proprietors. I am aware that many persons have, in the acquisition of land, parted with every penny of which they were possessed, and that, in order to develop the land

and make it productive, they have been compelled to place themselves in the hands of money lenders, the result being that, in ninety-nine cases out of a hundred, not only have those persons lost all their money but the land has again fallen into the hands of large holders. I really believe it would be better if many of those persons who desire to farm land rented it from landed proprietors, and spent the little money which they possessed in developing the land, instead of endeavouring to acquire the fee simple of it. We may be satisfied that the land which does get into the hands of large holders will be turned to the greatest possible advantage. There are many persons in my neighbourhood who, having purchased large blocks of land, are now renting it to others, and the tenants are doing much better than if they were possessed of the fee simple of the land and were compelled to borrow money with which to develop it. Sir, the next part of the scheme to which I will refer is the proposition to grant five and a half millions to any capitalist who may desire to take up the railway. If the Government take proper steps to obtain collateral security from the Provinces—or rather from the various districts, because I believe the word “Province” is not in favour just now—if, I repeat, the Government say to the inhabitants of the various districts who might wish to have a railway constructed, “Before we do so we will take from you, as security, a certain amount of land to meet the interest on the cost of construction,” I can see no objection whatever to it. During the debate, I have heard expressions of alarm that the whole of the money which it is proposed to expend under the provisions of this Bill will be irretrievably lost. If honorable gentlemen mean by its being lost that it will be, as it were, dropped into the ocean, that, of course, would be a great disaster. If the scheme is carried out there must necessarily be a large influx of population, and a certain number of miles of railway will be constructed. There will, no doubt, be a certain amount of waste and leakage, but that is a result which invariably attends schemes undertaken by Governments and public companies. It is, in fact, utterly impossible that large sums can be spent by either a Government or public companies without a certain amount of waste being involved, but I think we may put that down at a certain percentage. It has been said that, supposing we should have nothing to show for the expenditure—that supposing, notwithstanding the expenditure, there should be no increase in the population, and so on, that then the burden will fall on the landed estate. I agree with that expression of opinion, and I think we should take care that the money is not expended without getting something in return. I believe it has been stated by my honorable friend Colonel Kenny that the setting aside of this large amount of land is simply a fraud upon the public creditor. If that be the case, then the alienation of a single acre is also a fraud. A guarantee of this land in connection with the payment for public works to be constructed will be no more a fraud on the public creditor than the alienation

of an acre in any particular Province. If the money which is raised for these railways is judiciously administered, I believe they should pay 2 per cent. upon the amount of their cost. I am allowing a very small amount as a return for the investment. Admitting that they pay 2 per cent., and that we borrow the money at $5\frac{1}{2}$ per cent., there will be a loss of $3\frac{1}{2}$ per cent., or £70,000 a year. When we consider that the roads throughout the country do not yield anything, that we are proposing to make these railways with the view of opening up the country, and that we do not expect them to bring in any large return to the Colony, I think it will be admitted that these railways are virtually roads for the purpose of providing the people with a cheaper carriage for their produce than they would otherwise possess. We should not consider this question as being one of revenue; we should inquire whether the money which we lay out in this direction will enable the people to cultivate at a profit where they now do so at a loss, and whether it will benefit the country as a whole. All those who have travelled through the country, and know the state of the roads, must feel that roads constructed for carrying a heavy traffic are about the most costly works which can be undertaken. I think that the Government should endeavour to afford a means of outlet to the different districts, rather than to create a trunk line. I admit that it is desirable ultimately to have a trunk line, but I believe that, by judicious management, an outlet can be afforded to the interior districts at the same time that a trunk line is formed throughout the Middle Island. A trunk line, as such, is purely a matter of sentiment. There are no interprovincial exchanges, and there will be no large passenger traffic. Therefore, I consider that these railways should be laid out with a view of bringing people within reach of a port. If we can also have a trunk line I should advocate it, but the first consideration of the Government should be to provide the rich agricultural districts with the means of exporting their produce. The next question which has been submitted to us is that of immigration. I am sure that all those who have been in this country for the last few years must recognize that the utter cessation of immigration which has taken place has been the one thing, more than anything else, which has produced the present stagnation of trade in the country. When I consider that the total amount to be expended is one million, —only sufficient to bring out 70,000 people,—I do not think the proposal is too large for the Colony to undertake. At the present moment, owing to the high price of labour, the whole industrial pursuits of the country are at a standstill, and those who go in for the cultivation of land must do so at a considerable loss. I believe that a healthy scheme of immigration, to the extent of seven, eight, or ten thousand people a year, which is the outside amount under this proposal, would not be too much for the Colony to absorb. The Hon. Dr. Grace has said, "You cannot charge the Provinces with the amount," but, considering that for every immigrant who

comes into the country the Provinces will be enabled to get 30s. from the colonial revenue as a capitation grant, I see no difficulty in charging the Provinces to the extent of that 30s. for the cost of introducing immigrants. I think it would be very unfair to allow the Provinces to bring pressure to bear upon the Government to procure a large number of immigrants, and the consequent capitation allowance, without contributing any portion of the expense attending the introduction of these immigrants. Unless we have a large immigration into this country we shall never be able to undertake manufacturing industries or to cultivate the country, and we shall not enable the Colony to meet the burdens which will necessarily be imposed upon it by the present scheme. The proposal to expend £300,000 for waterworks upon the gold fields is one as to the desirability of which I am not prepared to speak. I must say that my own experience, as far as it goes, is in an opposite direction. I believe that if you add up the total amount which has been expended on the gold fields for this purpose, and compare it with the returns which have been obtained, you will find that the balance is decidedly against the project. I can see that this proposal will result in the Government being overwhelmed with applications to make races everywhere, and that the probability is that the money expended in this direction will be lost. They will get hold of all the bad things in the country and none of the good. I now come to the question which is the most important of all, namely, whether you will be able to get the money from the capitalists? It is useless our passing measures of this kind unless we consider that there is a reasonable prospect of our getting the money which we propose to expend. I think that if the people of England are assured that the measures which are now before the country are likely to be prudently administered, and that we are not going to rush into wild schemes of extravagance, that there will be no danger whatever in raising the money in the English market. When in Committee I shall be prepared to support any amendments which may be proposed having for their object the hedging round of this scheme with every possible safeguard, with a view of making this measure worthy of the Legislature and the country. I believe that the fact of our having carefully considered this question, and having shown to the people from whom we are anxious to get this money, that we are desirous and determined that it shall be properly expended in reproductive works, uncontrolled by any political influences, will do away with any difficulty in the way of finding money in the English money market; but if, on the contrary, we rush into this scheme to please the populace, all chance of our obtaining the money will be at an end. If we go into this matter prudently and wisely, I am satisfied that we shall be able to get the money, and to get it at a low rate of interest. The savings of the people of England, year by year, are enormous, and the outlet for that capital is becoming more limited year by year. The attention of the people is being drawn towards the colonies as a means of invest-

ment, and I believe that if this country remains in a state of peace for a few years more, the amount of capital which will be attracted to the country will be something enormous. There is one feature in this scheme which I object to, namely, fixing the rate of interest on the money we propose to borrow. If the Legislature has no confidence in the Government, and believes that they will sell these debentures at a considerable discount, the sooner we have a change of Government the better. I should think that a pledge from the Government that they will not sell these bonds at a rate of interest above 6 per cent. would be a sufficient guarantee to the Legislature. If we say that the money is not to be borrowed at a higher rate than 5 or 5½ per cent., you will find that you will be able to get it at that rate, whereas, if you say that you are willing to give 6 per cent. the probability is that you will have to pay 6 per cent. If there is any provision in the Bill upon this point, it should be to the effect that not more than 5 or 5½ per cent. shall be paid. I have now placed before the Council my views upon this question. I have given a very deep consideration to the subject, and when I consider the great resources of this country—resources far greater than those of any other British colony—when I believe that this scheme, if prudently carried out, will tend to develop those resources, I am not alarmed at their magnitude, nor do I believe they will bring the Colony to ruin, but that, on the contrary, they will raise the country from the depression under which it now suffers, and will enable it to do justice to its resources.

The Hon. Mr. ROBINSON said that after the many clear and eloquent speeches which had been made by all the honorable gentlemen who had preceded him, and all, with one exception, having so clearly expressed themselves conscious of that deep sense, he might say, of the awful responsibility which was cast upon the Council by the introduction of the Bill now lying upon the table of this House, and introduced by the Government of this Colony, and when he admitted that he agreed in the main with what had fallen from honorable members generally, with one exception, it might appear that he had a very simple course to pursue, namely, to follow in the wake of those honorable gentlemen; but, at the same time, he could not help feeling very great diffidence in rising to speak upon a question involving, as he was sure it did, the prosperity or ruin of this Colony. He fully recognized the services which the honorable members on the Government benches, and their colleagues, had rendered to the country, and the great advantages they had brought about by being able to inform the Council that the Colony was now in a state of peace; that life and property were safe in the North Island; that people could settle there without fear of attack, and pursue unmolested their legitimate occupations. He did not think that those honorable gentlemen had detracted in the least, in the estimation of the Council, from the services which they had rendered to the country, by the acknowledgment on the part of the Colonial Secretary of the services which had been

rendered by his honorable and gallant friend Colonel Whitmore in bringing about this desirable state of things. He looked upon this measure as being attractive, but denied that it was either, as some honorable members termed it, bold or comprehensive, and he thought he should be able to show that in a very few words. He only hoped it had not been so attractive as to prevent all honorable members in another place from attending to the business which they had thought they were coming up for at the commencement of the session. He hoped that they had not neglected any of those matters of minor importance which it was their duty to attend to, namely, looking at the past year's accounts, and strictly scrutinizing the future; but he could not say that he was perfectly satisfied upon that point, as he was afraid that the business of the country had been neglected. He was sure that honorable members would agree with him that, in speaking to members of another place, they never heard of sums so small as £60,000 or £100,000 being mentioned—nothing less than millions. He was perfectly willing to acknowledge the great ability of the honorable gentleman who propounded this great scheme. He had no doubt that that honorable gentleman saw with regret that trade was stagnant, that all enterprise was stopped, and that the steamers, once so numerous, forming a little mercantile navy round our coasts, were being taken away from the country, one by one, to be laid on to other places where they could be more profitably employed; and even those that were left kept on their present lines at great pecuniary loss to their owners. He had no doubt that he (the Treasurer) set his great brain to work, and after many hours' reflection, and many sleepless nights, brought forth this great scheme. But, as he had said, the measure lacked that element which would have entitled it to the term of boldness. He could not compare the Colonial Treasurer to anything better than to a member of the medical profession, who, having been called to attend on a patient, discovered, after the usual inquiries, that he was suffering from a deep-seated cancer, but lacked the skill of the clever operator to take the knife and cut it out by the roots. He had no doubt that, in watching all that had taken place in the country, the Colonial Treasurer had come to the conclusion that the great cancer which was eating away the body politic of the country was the Provinces, and decided upon originating some great colonial scheme of immigration and public works. Why then, instead of not boldly making the scheme what he termed it, colonial, had he perpetuated the evil by making it provincial? Instead of its being a colonial scheme, it was nothing more than a provincial scheme. It consisted of borrowing money and giving it to the Provinces to expend on railways all over the country. He had happened to have the pleasure of listening to the Colonial Treasurer's delivery of his financial statement in the other House, and he had certainly done so with great pleasure; indeed, he was almost about committing a breach of etiquette

on that occasion by loudly applauding the honorable gentleman. Upon reflection, however, he saw that it was not comprehensive, because it contained a great deal too much and because it lacked a great deal. He was not at all frightened by the borrowing of millions. No honorable member of the Council entertained a higher estimate of the capabilities and resources of the country than he did. He had heard many comparisons drawn between the Australian colonies and New Zealand, and he certainly thought that the advantages were not on the side of Australia. He had spent a great deal of time in both countries. Australia had gone on much more rapidly than we had done; but it was easier to colonize a country like that, and to populate its broad savannahs, where there was no obstacle in the way of travelling through the country. But population there had the same effect as that which resulted from a fire. They grew wheat, and, after a number of years, the land became barren, and afterwards it was not even so good for grazing purposes as it had been when it was in a state of nature. His honorable friend Mr. Holmes had observed the other day that this country suffered from the want of labour, and that we could not afford to compete with the other colonies in growing wheat; but he might tell that honorable gentleman there was this great difference between this country and Australia: In Australia, the grower had profits or no profits at all, that is, his profits were confined to money profits—he had no other advantages; but in this country, although a man might grow 30 or 40, even as high, he was credibly informed, as 70 or 80 bushels of wheat to the acre, his profits, in consequence of the extra amount of labour which was required, might be less per bushel than in Australia. If, however, his profits were not so great per bushel, he had more bushels, and besides this he had a small estate which it would be impossible to obtain in Australia—what an Englishman would proudly call a home; and, further, he had very little hesitation in saying that when the great resources of New Zealand, that is, her mines,—those great storehouses of wealth, her Native industries, flax, &c., were developed, and her fertile plains and valleys occupied, as they are sure to be, it would be found that New Zealand was capable of keeping a larger population than the present Australian colonies combined. Indeed, he might say he believed that the capabilities of this country were far greater than even its most sanguine colonists imagined. He now hoped that, after having given his ideas of the resources and capabilities of this country, those honorable gentlemen who fancied he was opposed to this scheme would see that he must be aware that the money, if wisely, judiciously, and economically expended, would be remunerative, and so increase the progress and prosperity of this country; but, if the Bill remained in its present shape, these results would never be brought about, but, in their place, dire ruin. He had taken some trouble, in consequence of the promulgation of this great scheme, to make himself acquainted with the financial position of the country, and had learned that

its present liabilities were likely to be about £8,540,000. It was proposed to borrow £790,000 for defence purposes, and £750,000 floating debt, and, adding that to the existing debt of £7,000,000, there was a total of £8,540,000. The Hon. the Minister of Justice had given a clear explanation of the financial position of the Colony—no doubt, had done so to his own satisfaction—and, after speaking of its great liabilities, alluded to the elastic paying powers of the country. Did the honorable member take into consideration that, independent of the seven millions of debt, the greater part of which was contracted principally from 1862 to 1867—only five years—there was an expenditure of three millions from the commissariat chest, and that our gold fields had sprung up, whereas we had now no commissariat chest, and no certain prospect of new gold fields being opened up. To what, then, were they to look for the continuance of those elastic paying powers it had been the custom for the Government of this country to say New Zealand possessed? He wished honorable gentlemen to view, seriously and calmly, the present financial position of the country. He admitted that the Colony was quite capable of bearing its present burdens, and further burdens, with a wise administration, but at the present time the whole of our money was expended and we were trading upon our credit. He fully indorsed the eloquent and statesman-like speech which had been delivered by his honorable friend Dr. Grace, and he was sure that every honorable member must have felt, when listening to the speech of his honorable friend Mr. Miller, that he spoke from deep conviction, and, as he said himself, “from his heart of hearts.” The Hon. Mr. Waterhouse, in speaking to the question now before the House, had observed, as he understood, to this effect. He thought that, in passing this Bill, members of another place must have had their vision and intellect clouded by the shadows of their constituencies in the distance; but when he (Mr. Robinson) heard the speech of his honorable friend Mr. Miller, it struck him that that honorable gentleman must have had a very different picture looming in the distance—a picture much dearer to the honorable member, and one he prized much beyond that of any constituency. He could fancy that the honorable member must have seen his wife and children, and, looking still further through the dim vista of futurity, that honorable gentleman saw those little ones grown to manhood, working like men, and by the sweat of their brow earning a bare existence, deprived of their patrimony in consequence of the overburdened taxation of the country, which had been brought about by the mal-administration of those millions, whereas, if they had been properly expended, they might have been in affluence. He did not wish honorable members to imagine that he was, in the slightest degree, alarmed at the amount which was about to be borrowed. He thought that it could be profitably employed, and, if it were profitably employed, he should expect to see that debt increased by five or six times the amount. He believed that we could profitably and

remuneratively expend twenty millions of money for the purposes mentioned in the Bill, but the question in his mind was, if we borrowed that money should we get the immigration and the railways? Although they were told that this was a great colonial scheme, it was nothing more than a provincial scheme. There was scarcely one clause in the Bill in which the Provincial Superintendents or Provincial Councils were not mentioned. They were told that a great trunk railway was to be made. He had hailed the scheme with delight when it was first propounded; then there was something like a schedule. If it was intended to open up the country by a trunk line, why was the schedule cut out? The Hon. Mr. Campbell had just observed that it was not desirable to make a trunk line, but that it would be better to open up the districts so that they could get their produce taken to port. How different that was from the opinion of the Hon. Mr. McLean, who had told them that any line in the Middle Island must, of necessity, be part of a trunk line. What objection could there be to inserting a great trunk line in the schedule? The work ought to be defined with exactitude. Money was required for immigration and for a trunk line, and why could not that be laid down? Simply the Provinces would not allow it. This would prevent them making railways everywhere, and squandering money. This showed a great weakness in both the Government and the scheme. That was the great difficulty which the strongest Government that had been in existence in the Colony for many years had failed to overcome, and in order to make provision for it he should propose an amendment in the Bill. He should endeavour to put the Government in such a position that they should not be embarrassed or dragged through the mire as they had been of late. The Hon. Dr. Buchanan, in his very eloquent speech, had solaced himself by thinking that if we could only create a debt it would be a sign of our prosperity, and, as an example, instanced England. The honorable member would be surprised when he asserted that England had no debt at all. She owed her money to herself, and the interest upon it was expended in the country; whereas, the interest on our debt, the very life-blood of the Colony, would be taken from us. England owed her debt to herself, and although it was created for a war, she got something for it: she swept away all the mercantile opposition of the world and attracted into the British Channel the commerce of all nations, which she retained at this moment. And yet it was very doubtful to his mind whether that was a paying speculation or not. He thought that if the money had been expended in mortgages in different countries, and England had been in receipt of those great sums of money which had arisen from such investments, it would have been better for her. The Hon. the Minister of Justice had told them that England was anxious to give up her colonies, but, under the circumstances he had just described, that is, without war, and incurring what is called debt, she might have been in a position not only to assist them,

but to make them part of one united British empire. It was still a moot point whether England, with all her debt, would not have been in a better position if she had no debt at all. It seemed to him to resemble the case of the old lady who was told that some gentleman had died at the great age of ninety, and that he had never drank anything but water, when she exclaimed, "Dear me, I wonder how long he would have lived if he had drank beer?" It was not necessary that he should go through the clauses of the Bill *seriatim*, as the Hon. Dr. Grace had done so very clearly. This scheme had been termed a bold and comprehensive one. The Hon. the Minister of Justice much more happily and appropriately styled it "sketchy and speculative," and the Hon. Dr. Grace had filled up that sketch, and had shown himself a very clever hand with the brush. He had filled up the picture, and every one must say that the tinting was well executed, but the grouping of the figures, over which he had no control, was so bad that it would never be ranked among works of art. He dissented from the remarks of the Hon. Mr. McLean, who seemed to go in for what was commonly called a "regular header." It seemed to him that the honorable gentleman was quite prepared to accept the Bill as read by the marginal notes, and pass it. The simile of the Hon. Mr. Gray was a more appropriate one, "that he felt as if he were about to take a plunge not knowing where he should land." He would relieve the mind of the honorable gentleman upon that score, by telling him that if he took the plunge, he would meet destruction on the way, and ruin would inevitably follow. With respect to this great scheme, he considered that immigration was a simple term enough; public works were not so simple, the term might mean anything—government buildings were "public works." He had understood that the country was to be opened up by a main trunk road. The Hon. Mr. Waterhouse objected to the term, but he could not see that it was in any way objectionable. We all feel ourselves a great people, and a great nation, and he did not see why we should not have a great trunk road. If this Bill resulted as favourably as its most sanguine supporters could anticipate, and the term "trunk line" would not please them, he should be quite willing to call it a "Vogel line," in memory of the great projector; indeed, he thought that the honorable gentleman was deserving of it if the work was brought to a fortunate termination. In order that there might be some definite line upon which to spend the money, he should, in Committee, propose the following amendment:—

In clause 7 to omit all the words after "Governor," with a view to insert the following: "shall cause such inquiries reports and topographical surveys to be made as may be necessary to ascertain and determine the main trunk lines which he may consider necessary and sufficient for the purposes of this Act, and shall cause such reports and the plans and maps of such surveys and system of main lines of railway to be laid before the General Assembly within days of the opening of the next session, together with

a Bill for defining and determining such system of main lines of railway; and no railways shall be constructed out of moneys raised or under guarantees given in conformity with the provisions of this Act, except such railways as may form part of such system of main lines, and no expenditure or liabilities shall be incurred hereunder for railways except such sums as may be appropriated to carry out the requirements of this section and of section ten of this Act."

He had already spoken of the consequences which might follow if this Act were a failure. They had a right to look at it in that light, because very few speculations which were entered into were a success. Men did not go into great ventures without being perfectly aware of the great risks they were running. He felt deeply sensible of the responsibility of the Council in passing such a measure. He could not agree with the proposals of his honorable and gallant friends Colonel Russell and Colonel Kenny, that the Bill should not be read a second time, and he hoped that those gentlemen would duly consider the consequences which would result from throwing the Bill out, and that they would co-operate with other honorable members in putting the Bill into such a shape as would be likely to bring about the prosperity of the country. The Bill might be a failure, and if so, what would be the result? The Hon. Mr. Miller had said that all the lands would be confiscated by taxation. It would not be the freehold land only which would be taxed. He saw around him many honorable members who had possessions in the country in the shape of leaseholds, who probably thought they ran no risk, but let them not think that they would go scot-free. The people, the power of this country, would sweep those leases away, and turn those lands to their proper legitimate account, by converting them into homesteads for families, and populating the country instead of letting it remain a wilderness in the shape of a sheep-station. If he felt certain that the money would be expended for the purposes for which it was intended, he would not have the least objection to expend it in the North Island. He thought that it could all be expended here, and he was convinced that unless the Northern Island could absorb two-thirds of the population which was proposed to be introduced, the scheme would fail. If there was not land for them there, it certainly was not to be found in the Middle Island. Whilst money was being expended in conquering a peace and reclaiming the land in the North Island, the land in the South Island had been tied up in faster ratio.

The Hon. Mr. CAMPBELL.—How?

The Hon. Mr. ROBINSON.—All the land in Nelson and Marlborough was leased for twenty-eight years, and was much more alienated from purposes of settlement than freehold land. As the Hon. Mr. Campbell had justly observed, every person having a landed estate would turn it to the best advantage. Those leaseholders were like dogs in the manger; they could not put population on their land, and they would take

care that nobody else did. Passing over Canterbury, he found himself in the neighbourhood of the honorable gentleman, in the Province of Otago, where all honorable members must know that there was scarcely a day passed in which there was not a Bill affecting the waste lands of that Province, and there was scarcely an inhabitant of that Province who could tell an immigrant what the land laws of the Province were. Indeed they might call their land laws legion, and so complicated were these laws, that any one arriving with, say, £500, would find his money all gone before he could find out the land laws. He thought that was locking up the lands. At the present time there were large numbers of people in Canterbury and Otago who were out of work, and who acquired a feeling of hatred against new arrivals, and all arising in consequence of not giving facilities for the occupation of the land and the introduction of capital. Some people thought that a large population would reduce the rate of wages, but he should be sorry to see anything of the kind, as he had never seen prosperity and low wages go hand in hand. He hoped that there was a different future in store for all the immigrants who were likely to arrive in the Colony. He thought that, on account of the great resources of the country, we could afford to give a high rate of wages, and yet compete with other parts of the world. The people to whom he had referred were out of labour, not because there was no land to cultivate, but because there was no one to employ them. It would be no use to bring in the farm labourer unless the farmer was introduced also. They might as well bring out the artisans connected with woollen manufacture without the machinery, or *vice versa*; or they might bring both, but of what use would they be without the capital? As the Hon. Mr. Miller had justly observed, there were thousands of comparatively wealthy people in England ready to send out and settle here the younger branches of their families, starting them with £500 to £5,000. It was no use to bring people here without capital. Capital would not follow. Capital must precede or be contemporaneous with the introduction of immigrants. It was not desirable to bring them out here to make the railways. The plans for all works should be prepared and thrown open to the world, and he did not think that any man in England who contracted for the railways would come out expecting to construct the work with the labour of this country. It had been urged that the navvies would be of no use to the country, yet, if they were not brought out, navvies would have to be made out of the immigrants who might be introduced. But would not these people, before the completion of the line, have become navvies themselves? Would they be any more likely to settle than ordinary navvies? If it was left to the contractor he would bring his own men out, and every man who went away would be no loss, whilst every man who remained would be a gain. It would be going to work in the most expensive way to expect the immigrants to make the railways. Although

they might only be paid 10s. a week, their labour would be more expensive than that of navvies at 30s. a week. No man who had a watch to be repaired would take it to a blacksmith, but to a person who understood the work. That was one reason why he should propose an amendment, so that contracts might be given to all the world. It was quite true that we were not going to throw the money into the sea, but we expected to get some return, and if the money were not wisely and economically expended, and if only half of the works were constructed, they would be of no use at all. If the money was thrown away, people, instead of speaking of "Vogel's line," would say "there is the folly of the Legislative Council," for it was with the Council that the measure now rested. He hoped that the Council would acquit itself in the way that the Colony expected. Upon the way in which the Bill was shaped depended the prosperity or ruin of the country, and it was no use for honorable gentlemen to think that hereafter they could throw the blame off their shoulders by saying "the Hon. the Minister of Justice and the Hon. the Colonial Secretary told me so-and-so." The answer would be, alluding to the Bill, "There is your bond." The eyes of the country and the House of Assembly were upon them. It was left to the Council to perfect the Bill. That great responsibility was cast upon them; it was laid at their door, and it was one from which they had no right to ask to be relieved. It was one of the functions and privileges of the Council. It was to check hasty and rash legislation, such as proposed by this Bill, for which that branch of the Legislature was constituted; and upon the shape and form that Bill left the Council hung the question—shall this country, great in every sense of the word, take the lead amongst the civilized nations of the southern hemisphere; shall this broad and sparsely populated land, with a climate for salubrity without a parallel, with its broad and verdant plains, intersected by rivers, rivulets, and its sparkling streams, its rich and fertile valleys, and its magnificent wooded slopes, become densely studded with millions of the happy and luxurious homes of prosperous and contented families, or shall the present and rising generations live a lifetime of poverty and misery?

The Hon. Mr. STOKES.—Sir, in rising to support the second reading of this Bill, it is not my intention to weary the Council with an elaborate examination of its provisions. I would rather desire to confine myself to a few considerations arising out of the discussion that has taken place, and to one or two of the main provisions of the Bill. No one who has listened to this debate can fail to have been struck with the different aspects under which this Bill has been regarded by different speakers. While some honorable members—notably the Hon. Mr. McLean, who spoke with an energy and earnestness that bore witness to the sincerity of his convictions—have cordially given their support to the scheme of which this Bill is the expression, other honorable members have not hesitated, in effect, to denounce it as wild and visionary, and

one honorable member has gone so far as to stigmatize the measure as an act of legislative madness. Sir, it is nothing new that schemes of large and comprehensive design, the consequences of which are imperfectly apprehended, should be so designated, and some notable examples may be given from recent times and within the memory of those whom I have the honor to address. When the celebrated George Stephenson proposed to introduce locomotive engines on railroads, at a speed of thirty miles an hour, his scheme was universally denounced as wild and visionary, and the projector was looked upon as little better than a madman. The *Quarterly Review*, in an article published at the time, spoke in these terms of the whole project. Adverting to a project for forming a railway to Woolwich, by which passengers were to be drawn by locomotive engines moving with twice the velocity of ordinary coaches, the reviewer observed:—"What can be more palpably absurd and ridiculous than the prospect held out of locomotives travelling twice as fast as stage coaches! We would as soon expect the people of Woolwich to suffer themselves to be fired off upon one of Congreve's ricochet rockets, as trust themselves to the mercy of such a machine, going at such a rate." That was written in the year 1830, and then he goes on to say, "We will back old Father Thames against the railway for any sum." And when Mr. Stephenson, at the interview with counsel, prior to the Liverpool and Manchester Bill going into Committee of the House of Commons, confidently stated his expectation of being able to impel his locomotive at the rate of twenty miles an hour, Mr. William Brougham, who was retained by the promoters to conduct their case, frankly told him that if he did not moderate his views, and bring his engine within a reasonable speed, he would "inevitably damn the whole thing, and be himself regarded as a maniac, fit only for Bedlam." Yet railways have triumphed, and have proved themselves the most potent engines of civilization in breaking down prejudices, in diffusing intelligence, in connecting nations together, and in making the whole world kin. Again, when ocean steam navigation was projected, an eminent scientific authority of the day, Dr. Lardner, denounced the scheme as wild and visionary, and prophesied its utter failure. Yet ocean steam navigation has succeeded, and, as one of its results, the fleet of American clippers, which performed the voyage from New York to Liverpool in twenty-four days, has disappeared, and the passage is now performed by ocean steamers in nine and a half days. And as one of the most recent and remarkable results of ocean steamers and railways, I may point to Japan, which, within our memories, was regarded as a land of myth and fable, a country to all appearance impenetrable, and hermetically sealed to western civilization, but which can now be reached in thirty-six days from England, and is now applying in the London market for money to make railways in its interior. Again, when M. Lesseps—all honor to his name—proposed, by a ship canal through the Isthmus of Suez, to

unite the waters of the Mediterranean and the Red Sea, the scheme was denounced by the leading journal of Europe, the *Times*—which has been designated the thunderer of the press—as utterly wild, visionary, and impracticable. Yet the canal has been completed, and that which was regarded as a chimera by the builders of the pyramids, and beyond the reach of the most powerful and despotic rulers of Egypt, has become an accomplished fact in our days, owing to the indomitable energy and unwearied perseverance of a private individual. I do not pretend to rank the scheme we are now discussing in the same category with those to which I have referred, but, if I may compare small things with great, it bears at least this resemblance to them, that if wisely carried out, it is calculated to produce as important results in this country as those are in the world at large. Referring to the measure before us, for my own part I regard it as the outline of a large and comprehensive plan—the adumbration of a scheme intended for the benefit of the whole Colony, of which fuller details have yet to be supplied—a scheme which, if prudently and wisely carried out, will be productive of great advantage to the Colony—a scheme which, as my honorable friend Mr. Waterhouse has described it, is full of weal or woe, according as it is administered, and which it will be our duty to render as perfect as possible. Having expressed my opinion generally with regard to the Bill, I will now proceed to offer one or two observations on its two most important features,—railways and immigration. One honorable member has said that he does not believe in railways, and another that he does not think railways are applicable to a poor country. But in introducing a system of railways in this country, there is no necessity that we should resort to the costly mode of construction adopted in England, with its expensive bridges, viaducts, and tunnels, as it has been conclusively shown that cheap and light railways, adapted to all the requirements of the Colony, may be constructed at the rate of from £3,000 to £4,000 a mile. And, as my honorable friend Mr. Miller has said, while this little exceeds the cost of common roads, we may hope, by reducing the cost of communication, to increase the population of the interior. I have so great faith in railroads that I believe no better plan can be devised for promoting the prosperity of the country, and that such railroads are infinitely to be preferred to common roads as the main lines of communication throughout the Colony. The Hon. the Minister of Justice has observed that he considers railroads ancillary to immigration rather than as primary objects, but I think that, in such a scheme as the present, the two are inseparably connected together, and that, if we wish to promote population in the interior, we must have the means of cheap communication. A great deal has been said about the different modes of payment mentioned in the Bill for the construction of these railways—whether by payments in cash, guarantees, subsidies, or by contributions in land. I apprehend that these different

modes of payment have been introduced into the Bill in order to give every facility to Ministers for making the best arrangements with regard to carrying out these works according to the peculiar circumstances of each district. Of the four proposed modes of payment, I must confess I should prefer the guarantee system, for I believe that, by adopting that method, we should insure the cheapest execution of the works, and we should obviate that indirect pressure which is likely to be brought to bear upon Ministers in favour of particular districts. Some honorable members have said that these works are unsuitable to the condition of the Colony, and beyond our means to carry out. I think that we ought, in considering this question, to look to the incidental advantages to be obtained by these works, and not solely to their cost. In order to explain my meaning, let us take, as an illustration, the railway from Wellington to Napier, and assume the distance to be 160 miles, and the cost of construction half a million of money. A guarantee of 6 per cent. would be £30,000 a year. I feel confident that this railway would be the means of introducing into the two Provinces along the line an additional population of at least 20,000 souls, and, reckoning their contribution to the revenue at £4 per head, this would be an increase to the revenue of £80,000. So that, if the Government had to pay the whole guarantee, they would still be gainers to the extent of £50,000 a year. In addition to this, we must consider the additional advantages to be gained by the public in the cheapness of communication and the reduction in the cost of carriage, and we may fairly reckon this at something very much more than £30,000. My honorable friend Mr. Holmes has said that the Seventy-Mile Bush would hardly pay the expense of surveying the line, but I would venture to tell him that if this district is acquired by the Government, and judiciously managed by them, it will not only pay for the survey of the line, but will go very far towards paying for the construction of the railway. Sir, I should deprecate any hasty commencement of these works before sufficient information is obtained, by means of surveys, to lay out to the best advantage the main lines of railway, so that what is intended for the general good should not degenerate into a general scramble; but I have no hesitation in saying that I believe the line of the greatest importance in the North Island, and that which should be first commenced, is the line which leads from Wellington to Napier, because, in addition to the general advantages to be derived from that line, its formation will give the strongest assurance, not only to the Colony but to the mother country, that we are using our most earnest endeavours to prevent the recurrence of Native disturbances, and insure the pacification of the country. We have already spent three millions in war, and what have we to show for it? But if this line were carried out it would prevent the possibility of any future war, so far at least as the southern part of the Island is concerned. The only other question I will refer to is that of immigration, and, in doing so, I cannot help

adverting to a statement made by my honorable and gallant friend Colonel Whitmore, to the effect that no influx of population would materially affect the revenue, and that immigration means a large amount of taxation. I would venture to assert that this statement is the greatest fallacy that has been uttered in the course of this debate. If we refer to the statistics of the Colony we will find that, in the year 1860, the total European population, exclusive of the military and their families, was 79,625 souls, and that the ordinary revenue, not including territorial revenue, was £233,107, or an average of about £3 per head. In 1868, the total European population was 226,618, and the total ordinary revenue, £1,195,512. In other words, in a period of eight years the population had trebled itself and the revenue had increased five-fold. Now, if the honorable and gallant member's argument were correct, we should find that although the population had increased the revenue had remained stationary, or had not been materially affected by the increase of population. On the contrary, we find the revenue had increased five-fold, and all this was done during a period when nothing had been attempted by the General Government in regard to immigration, and very little by the Provinces, and that the last year of this term was a year of great depression. I think, then, that it will be no extravagant supposition to assume, if we look forward to the next eight years, with the additional expenditure of a million for the purpose of immigration, that the population of the Colony at the end of that period will be doubled, and that the revenue will be doubled also; that, instead of a population of a quarter of a million, we shall then have half a million of population, and that the revenue will be increased to two millions—an increase more than sufficient to pay the amount of interest, at 6 per cent., on ten millions, if we should borrow to that extent. The provisions of the Bill, in regard to immigration, seem to be of a very general and indefinite character, and I do not very well understand whether this immigration is to be carried out by the General Government or with the assistance and through the medium of the Provincial Governments; whether the immigrant is to pay the whole of his passage, or whether the passage money in part, or in the whole, is to be defrayed from this million. However, these are matters of detail which we can deal with better in Committee; but, looking to the interest this question of emigration has created in England, and the discussions raised by it, it would appear that the stream of emigration has been mainly directed towards Canada and the United States, and this seems to have been caused chiefly by the cheapness of the passage—that for £4 a labourer can transport himself from a country where labour is very difficult to be had to one where it is supposed to be plentiful. It may, therefore, be a question whether we shall not hold out greater inducements to immigrants by paying part of their passage money. However, whatever scheme is adopted we shall find that, “That which is best administered is best,” and I may hope, in quitting

this subject, that whatever arrangements are entered into, there will be less laxity in the collection of the emigrants' passage money, if they have to pay for their passages, than has been shown in some Provinces of the North Island, where arrears to the extent of several thousand pounds still remain uncollected. By this laxity great injustice is done both to the Provinces to which the money is due and to those who have honestly discharged their engagements. Sir, as I said before, I consider this scheme as one large and general scheme, to be applied for the general good of the Colony, and I consider, as the honorable Mr. Waterhouse has said, that its success is mainly a question of administration. If it is judiciously and wisely carried out, it will be productive of great and important benefits to the Colony, and there can be no doubt it will be a scheme either for weal or woe, accordingly as it is prudently managed or otherwise. I would only refer, in conclusion, to an argument used by my honorable and gallant friend who has moved the amendment, namely, that the Colony should be left to itself to recover by means of its own unaided resources. I fear that such a recovery would be long and tedious, and would postpone indefinitely the advantages which are now offered to us, and would render the attainment of those advantages more difficult than if we were to embrace the present offer. Such a proceeding would, if I may use a homely illustration, resemble the conduct of the farmer who would urge his overladen horse to drag a load up hill, overtaxing his energies and wasting his powers, when he might, by hooking another horse to the team, easily accomplish his object. Sir, what we want is more power; power to open up the interior by means of cheap communication; power, by the introduction of immigrants, to people the interior of the country and develop its resources. This power we are unable to obtain through provincial institutions. This power we shall get if the General Government will use the credit of the Colony for carrying out a scheme such as that before us. Believing that the scheme, if wisely, judiciously, and economically carried out, will greatly promote the prosperity of the Colony, and reserving my right to assist in making such alterations, in Committee, as I believe will make the measure more perfect, I give my hearty support to the second reading of this Bill.

The Hon. Mr. LEE.—Sir, in common with other honorable gentlemen who have lately addressed the Council, I labour under considerable difficulty, inasmuch as many of the remarks that I had purposed to make in regard to this measure have been already given utterance to. I feel, however, that it is scarcely right that, on so important a measure as that now under the consideration of the Council, I should not place on record the opinions I hold in reference to it. This measure is, as has already been observed by several honorable members who have addressed the Council, one of such magnitude as no other that has hitherto been brought before the Legislature has reached. Almost every honorable member

who has addressed the Council has expressed approval of the principles of the measure, though with regard to the details there are great differences of opinion. I may say that I also agree most cordially in the principle of the measure, and shall heartily give my support to the second reading. I cannot say that I at all agree with the fear that has been expressed as to the magnitude of the loans that are proposed to be raised for the purpose of carrying the scheme into effect. These, I think, the country is well able to bear, and the amount that is likely to be saddled upon the resources of the country is very much overrated by most honorable members who have spoken upon the measure, while the Hon. Mr. Campbell appears to me to have placed the matter in a form much more in accordance with the views of the promoters of the scheme. It does appear to me that there is no possibility of raising a larger sum in money than five and a half millions under any circumstances, and I do not see that, even if the whole of that sum of money is raised—which I say it is not likely to be, for a considerable time at all events—it would pledge the country to an amount of interest which the increased revenue that would be made by the introduction of immigrants and construction of public works would enable it to bear. The magnitude of the scheme altogether is, so far from being an objection in my eyes, one of its principal recommendations. Every Government, since a constitution was granted to the Colony, seem to me to have confined their views solely to raising the necessary revenue for the expenditure of one year, and if they came down next year to the Legislature and showed that they had not exceeded the amount which had been authorized to be expended, they considered they were entitled to the thanks and gratitude of the country. Now, the present Government have taken a much larger, and I think a much more statesmanlike view of the duties devolving upon them. They have taken into consideration the great necessities of the country—and every one will admit that it has great necessities at the present time—they have considered it desirable that they should extend their views to a much longer period than one year; and the scheme they have placed before us purposes to deal with a period of ten years instead of one, to which it has been the ordinary practice of Governments to give their consideration. This, I think, every one will admit is a step in the right direction for the Government of the country to take. The works proposed to be carried out under this scheme are entirely of a reproductive character, and as such, in my opinion, are not calculated or likely to create very great demands upon the revenue of the country in the way of interest, though for a certain period, no doubt, and until these works begin to pay, there must be a certain amount of expense borne by the revenue. I believe, however, that in the course of two or three years the whole outlay will be really covered by the increased revenue that will be derived from the introduction of immigrants, and from what may be fairly expected to be

derived from the railways when in work. I know many honorable members believe that the railways will not be likely to pay either the interest or the money expended in their construction, or the working expenses; but I think, if wisely and properly carried out, and constructed with the advice and consent of the local authorities, they will do so. I say with the advice and consent of the local authorities, in spite of what the honorable and gallant Colonel Whitmore has said of them, because I believe that they are most competent to give an opinion as to when and how those works should be carried out, and there is very little doubt that, if constructed under such advice, they will be made in such positions and at such cost as will enable them to pay a very fair interest on the money expended on them. I may instance the only railways at present at work in the Colony—those in Canterbury, which I believe are the only railways at work. They were constructed at an enormous cost, because they involved the necessity of making an expensive tunnel—a work of such an expensive nature as is not at all likely to be required on any of the railways which it is now proposed to construct, and which will not cost one quarter of what those railways cost. Even with that enormous expense, the Canterbury railways are now paying interest at the rate of 3 per cent. on the outlay, and also all the working expenses. I think that is something to go upon with respect to the chance of railways paying if properly carried out.

The Hon. Colonel RUSSELL.—How long was it after the completion of the lines before they began to pay?

The Hon. Mr. LEE.—I may say, in answer to the honorable gentleman, that the first year they did not pay at all; in fact, there was a slight loss. In the following year the receipts very much increased, and the third year—which is the present one—they are paying what I have stated. The increase each year has been very considerable, and, at the present moment they pay what I have said. I sincerely believe that next year there will be an extra 1 per cent. of interest paid. I know that, on the subject I am now about to allude to, most honorable members in this House will not agree with me, particularly the Hon. Mr. Robinson; but I say, most decidedly and positively, that all these works, wherever and whatever they may be, ought to be carried out under the advice of the local authorities, who are really and truly the people, and the only people, who can give a proper account of where these works ought to be constructed. I should like to ask honorable members, "Supposing the General Government is to carry out this scheme entirely without advice from the local authorities, how are they to arrive at the necessary information?" How are they to do this without the assistance of the local authorities and the representatives of the people in the Provincial Councils, who have really an intimate personal knowledge of everything connected with the place; and what is likely to be the result, in a mercantile point of view, of lines that are constructed without such

advice and assistance? I feel strongly on this point, because I am satisfied that it is only the rabid dislike which exists to the name of Province in the minds of some honorable gentlemen which causes opposition to this proposition. Put that name out of the question altogether, and never let us hear the name of Superintendent again. Call him anything you please—chairman of a local board, or anything,—but, I say, do not, from the mere unreasoning objection to a name, deprive these great and important works of the advantages to be derived from the local knowledge of those persons whose duty it has been to make themselves acquainted with the information required to carry such works to a profitable issue. With regard to immigration, I can hardly imagine there will be two opinions on the desirability of introducing immigrants into the country, in spite of what has been said about the number of persons out of employment in Otago and Canterbury, which, in all probability, is very much exaggerated; for we know that all those statements made in newspapers must be read with very great caution. They are made to suit the political views of the conductors of those papers, and may or may not represent the true state of things. There is no doubt that at the present time there are, in the Southern part of the Colony, a certain number of people out of work, but it arises from very peculiar circumstances. The weather has been so wet there that the farmers have been prevented from going on with the ordinary work on their farms, and have, consequently, been unable to employ labour; but the very moment the land dries up sufficiently to work upon it, the whole of those who are now professing to be out of employ will be absorbed and go into their ordinary occupations. I do not think that is a question which ought to be taken into consideration the least in the world when discussing a measure of this kind. There is no doubt that when these works are in course of construction they will necessarily require a very large number of hands. I do not, myself, entertain the same idea with regard to the class called navvies which some honorable members entertain. My firm belief is that these so-called navvies will be men extremely likely to settle in the country. They are of the class who have no home or attachment in England, and they are the very people who, if they see any advantage in settling down after these great works are completed, will make valuable settlers. I have no doubt that experience will prove that my view in that respect is correct. It is not my intention to go at length into the details of this measure, because they are really matters which should be more properly considered in Committee. Amendments are to be proposed, and to those amendments, as well as to the clauses themselves, I shall be prepared, at the proper time, to give my full consideration. With regard to the observations which have been made as to a main trunk line, it seems to me that the Government measure is hardly understood by some honorable members, at least as I read it. My idea of the Government scheme is that the great point aimed at is communication from one end of the

Colony to the other, and, for that purpose, advantage should be taken of any natural facilities which may present themselves. For instance, in the Province of Auckland it could hardly be intended to carry a line of railway along the bank of the Waikato River, which already affords seventy miles of communication such as no railway, for many years to come, could compete with. I am not aware of the facilities that may offer in other parts of the North Island, but, as far as I know, there may be plenty of such facilities for opening up communication without having recourse to the railway proposed by my honorable and gallant friend Colonel Whitmore—a cast-iron line, as he termed it, that was not to be departed from on any consideration whatever. I think that would be ruin to the whole scheme. Of course, if engineers were directed to lay out a line of that description, they would only lay it out where the country was most easily adapted for the working of the line, without reference to the other advantages which it might be desirable to incorporate. My idea of this trunk line of communication is, that it must be made from centres of population to the coast, and from centre of population to centre of population, and afterwards, when the necessities of the Colony required, it could be joined, bit by bit, so as to make a line throughout the whole length of the country. As for making a line through each Island, as they are now situated, it seems to me that would be an entire impossibility, and would be the means of destroying all chance of the scheme being successful in a pecuniary point of view. I quite agree with the remarks made by the Hon. Mr. Campbell as to the necessity or otherwise of railways being made to pay. In making common roads you make them for the purpose of bringing produce, from wherever it may be obtained, to the port of shipment or to the market, and the same thing, to a certain extent, ought to be looked for in railways. They are principally for the purpose of opening up communication in the country, and if, at the same time, they can be made in such a position as to pay, the whole object of making railways has been obtained. I do not profess to know anything about water-races. My honorable friend Mr. Bonar, in advocating the necessity for these works, stated that they were not only used as water-races, but also as paths or tracks through the almost impenetrable bush on the West Coast. If so, that is one very great reason why they should be made; for, so soon as communication with the interior is opened up in that part of the country, it will necessarily be occupied for the purpose to which for many years to come it will be applied, namely, the production of gold. I have no further observations to make on the subject, and will conclude by saying that I will give my hearty support to the second reading of the Bill.

The Hon. Mr. NURSE said he was "a burnt child," and with the usual result. The very course which tended to ruin Southland was now proposed to be taken under this Bill. It was a very curious thing that the population of the Province

of Southland bore almost exactly the same proportion to her debt, about which he had been taunted till he was sick of the subject, as the population of New Zealand bore to this most monstrous loan, supposing any member to know what it was. It was proposed to borrow money for the purpose of constructing railways and carrying out public works, but how it would be administered it was difficult to say. They knew what the result was likely to be when a public interest was brought into opposition to private interests,—just what they had seen in the case of the Marlborough Sale of Reserves Bill, which they threw out last year and passed this, because, it was stated, some innocent people were sufferers. He did not know many people in Wellington, but he was aware that the opinion expressed by the well-known "man in the street" was to this effect, "Oh, never mind, when this money is spent, we shall be able to clear out and go somewhere else." He would not have addressed the Council but that he intended to vote with the minority. He did so last session in a much smaller minority with reference to the retention of the Imperial troops, and he found that their opinions were right; he hoped, however, that on this occasion they would be found to be wrong, but could not be very sanguine on the subject.

The Hon. Mr. ROBINSON said he desired to explain that when he gave notice of the amendment which he proposed to introduce in Committee, he said that if the Government did not feel inclined to listen favourably to it, that he should vote for the amendment that the Bill be read that day six months.

The Hon. Mr. PATERSON remarked that he did not think he could say anything upon the question which was now under the consideration of the Council, that had not been said over and over again; he therefore did not think it advisable to occupy the time of the Council by entering at any great length into the details of the question. No doubt the objects which it was proposed by the Bill to carry out were very attractive, and appeared calculated to further the interests of the country, but the whole success of the scheme depended upon the manner in which the proposed undertakings were carried out. Some honorable members had emphasized the word "if." They said "if" the money proposed to be borrowed could be obtained on advantageous terms, "if" it was judiciously expended, and "if" the works were economically and carefully carried out, the country would be benefited. There certainly could be no doubt but such would be the case. He did not think, if he were to occupy the attention of the House for half an hour, he could say much more than was contained in those few words; that little "if" contained the gist of the whole matter. He must express his fear, however, that if the Bill were passed in its present state it would not tend to advance the welfare of the country, but that it might have a contrary effect. He would be sorry if anything he might say should tend to prevent the Bill being duly considered, or its provisions being brought into operation, if, on strict examination, it could be

shown that they were likely to be for the benefit of the country. He therefore proposed to vote for the second reading of the Bill, and to assist to amend, in Committee, some of its details, in such a manner as would make it more likely to produce the effect which they all desired, and which the country stood so much in need of. As he had before stated, the ostensible objects of the Bill were commendable, and would have a beneficial result if properly carried out. They must endeavour, therefore, on that very account, to make the provisions of the Bill so stringent and so guarded as to insure such satisfactory results as might ultimately justify the adoption of the course proposed in the large scheme now under consideration.

The debate was then adjourned until the next sitting day.

DANGEROUS GOODS BILL.

This Bill was read a third time, and passed.

NELSON WASTE LANDS BILL.

The Hon. Mr. WIGLEY, in moving the second reading of this Bill, said it was in accordance with the recommendations of the Provincial Council of Nelson. It had been discussed by the Waste Lands Committee, and had passed through the House of Representatives. He was not aware that any objections were entertained to the Bill, and trusted it would be agreed to by the Council.

The Hon. Mr. BONAR said he had been given to understand, in regard to this matter, that when certain gold discoveries were made in Nelson applications were also made to the commissioner of the waste lands board in respect to the purchase of land. The power to withdraw land from sale had not rested with the commissioner, and, before he could call the waste lands board together, land was sold, and thus a series of complications and difficulties arose as between the diggers and those parties who had purchased land. The main object of the Bill was to give power to the commissioner to withdraw any waste lands from sale. He thought it was desirable that, in order to prevent further complications, that power should be given.

The Hon. Mr. ROBINSON said the Council had, only a short time previously, adjourned the debate on a very important subject—the Immigration and Public Works Bill. It had been admitted that immigration was the foundation-stone of the whole system, and immediately afterwards they were called upon to deal with two Bills, both of which would operate in some way in connection with the lands of the Colony. Those Bills were the Nelson Waste Lands Act Amendment Bill and the Nelson Crown Lands Leasing Act Amendment Bill. It would, in fact, be seen by the titles of the Bills that they had something to do with the waste lands of the Crown. Up to the present time he had not been able to give the Bill that attention which would enable him to express a definite opinion as to the probable results, and he therefore proposed, as an amendment, that the consideration of the Bill should be postponed until next sitting day.

The Hon. Mr. C. J. TAYLOR remarked that the provisions of the Bill were so simple that it was really not necessary that the Council should agree to the request that the second reading of the Bill should be postponed. An explanation of clauses 2 and 8 had already been given, and the others were not of that importance which rendered it necessary that a postponement should take place. He therefore submitted that the Bill should be proceeded with.

The Hon. Mr. SEWELL said he saw no objection to the Council proceeding with the second reading of the Bill.

The Hon. Mr. LEE said the Bill was simple in its character, and he therefore hoped the second reading would not be opposed. Besides, taking into consideration the large amount of business which remained to be disposed of, it would be an object not to delay any measure which they could fairly proceed with.

The Hon. Mr. NURSE said he hoped some deference would be paid to the opinions of a Nelson gentleman when a Nelson question was under consideration, and give him time to consider it.

The Hon. Mr. ROBINSON said that he had made an objection simply because he knew little about the question, and he was afraid to deal with any resolutions without first having given them due consideration.

The Hon. Mr. WATERHOUSE remarked that the honorable gentleman who had just addressed the House was a member of a certain Committee to which the Bill had been referred, but that probably circumstances had prevented him attending the meetings of the Committee. The Bill was simple in its character, and he agreed with the Hon. the Minister of Justice that there did not appear to be any reason why the Council should not proceed with its second reading. When the Bill was committed, the honorable gentleman (Mr. Robinson) would have an opportunity of making any suggestions he might deem necessary.

The Bill was read a second time, and ordered to be committed next sitting day.

NELSON CROWN LANDS LEASING BILL.

The Hon. Mr. WIGLEY, in moving the second reading of this Bill, remarked that it had gone through the same ordeal as the Bill which had just passed its second reading. He believed that all the clauses, except one, were understood by honorable members. Under the clause to which he referred, a man paid rent at the rate of 10 per cent. per annum, and at the expiration of fourteen years he was entitled to a Crown grant. That was one main object of the Bill. It had also been provided that an applicant should pay £5 as a sort of premium for taking up land: now it was proposed that it should go as part payment of the rent. Then there was a clause to give protection to the discoverer of auriferous lands. When any land was proclaimed as a gold field it came under the provisions of the Gold Fields Act.

The Hon. Captain FRASER said the Bill appeared to be somewhat complicated. It proposed

a new method of disposing of the Crown lands and the formation of gold fields outside legitimate gold fields; it was more than protective, and required careful consideration.

The Hon. Mr. ROBINSON said he should oppose the second reading of the Bill, and he was happy to say his honorable friend Mr. Waterhouse would not have an opportunity of making the same remarks in reference to him (Mr. Robinson) as he did on a former occasion, when the Nelson Waste Lands Act Amendment Bill was under consideration. He was present at the meeting of the Waste Lands Committee when this Bill was under consideration. An amendment was then introduced to the effect that there should be a minimum price of 5s. per acre placed upon the land, but no such amendment appeared to have been introduced into this Bill. He trusted that honorable members would take into consideration the important bearing of the Bill. He had not had time to make himself sufficiently conversant with it, and he trusted that the Council would consent to the second reading being adjourned. The honorable member had not explained the principles of the Bill in any way. Clause 7 would give power to any leaseholder, at any time, to have his land brought under the assessment. In view of the great scheme before the Council, which provided that land should be taken at £1 per acre, it did appear to him to be wrong to allow land to be disposed of at any price whatever. He should propose that a minimum be fixed at the end of clause 6. It appeared that the land was not to be leased in any quantity less than 200 acres. As those 200-acre sections were small blocks of land, they would not be taken up unless the land was fitted for agricultural purposes. If it was worth anything it was worth 10s. an acre, which he should propose to fix as the minimum. He should also propose to strike out clause 7, which made provision for assessment. There could be no doubt that that clause gave power for a re-assessment. The words were "the holder of any land under the Act." It was quite plain that any person who held a lease under the Act could ask to have it brought under the operation of this Bill.

The Hon. Mr. MANTELL would like to ask upon what principle of equity the fee of £5, which had been hitherto carried to the credit of the Province, upon lease applications, was to be remitted for the future, and not also retrospectively.

The Hon. Mr. WATERHOUSE said that this Bill was of a more important character than honorable members seemed to imagine. It was not intended to apply to the settled districts in the Province of Nelson. Its object was to render available the densely-wooded land on the West Coast, which was valuable for agricultural purposes, but was worth nothing at present on account of the expense involved in clearing it, and the smallest price that might be fixed would not induce people to take it up. At the present time, the potatoes and cereals consumed on the West Coast were, to a great extent, imported from Canterbury, Otago, and Victoria, and it was de-

sirable that a population should be settled there as soon as possible. Dr. Hector had stated, before a Committee of the House, that unless every encouragement was given to persons to settle those localities, after a time, when the gold fields had been worn out, the whole of that country would revert to a state of nature. He believed that in Westland little patches of land had been taken up, and people were applying themselves to its cultivation. The intention of this Bill was to give persons the same inducements to settle in those densely-wooded parts of Nelson that had already been given in Westland. With respect to clause 4, which had been referred to by the Hon. Mr. Mantell, he thought it inequitable that the suggestion of the honorable member should be complied with. It was optional with the holders of old licenses whether they would come under the new law and receive leases. If they came under the new law they would have to pay a fee of £5 before they could receive a lease; but when they once obtained it, it gave them security of tenure for twenty-eight years. They would receive an advantage from coming under that law far more than commensurate with the fee of £5 which they had to pay for licenses. The question as to whether that fee should be remitted or not had engaged the attention of the Legislature on both sides. It had also engaged the attention of the Waste Lands Committee, who had upon two occasions decided against this claim, and he believed that in each case the decision of the Waste Lands Committee had been approved by the House. That decision was, that it was not desirable that the Government should interfere in the matter to repay the original holders of licenses the fee which they had paid on changing those licenses into leases. The Bill was a very important one, having for its object the promotion of the settlement of the country, and for that reason he should support it.

The Hon. Mr. BONAR said that since the Bill was introduced he had endeavoured to make himself acquainted with its provisions by obtaining some information on the subject from other honorable members, and by a comparison of the provisions of the Bill with the Acts at present in force.

The Hon. Mr. ROBINSON.—Would the honorable member say from whom he got the information?

The Hon. Mr. BONAR.—Partly from the Superintendent of Nelson and partly from reading up the different Acts which he had before him. There were two or three matters introduced into the Bill to which he desired to call attention. Clause 2 repealed clauses 13 and 14 of the Nelson Crown Lands Leasing Act of 1867, the provisions of which were provided for in another Act, intitled the Waste Lands Appeal Act. Clause 15 enacted that, in the event of parties being dissatisfied with the decision of a waste lands board, a case might be stated and submitted to a judge. This was considered undesirable, as the judge might be called upon to decide the question in Court. The Nelson Crown Lands Leasing Act of 1867 provided that leases might be granted,

but only of lands which were "not suited for agricultural purposes." He had always understood, and perhaps the Hon. Mr. Robinson knew the facts better than he could inform him, that most of the lands suitable for agriculture in the Province of Nelson were already alienated from the Crown, and that no good land available for such a purpose could be taken up under this Bill. The object of this Bill was to induce further settlement upon lands which the waste lands board could not induce persons to settle upon under the existing regulations. He would only say, with reference to the amendments which the Hon. Mr. Robinson intended to propose in Committee, that this Bill in no way repealed the land regulations at present in force. There were certain limitations set on the price of land, and it was necessary that the price fixed upon them should be assented to by the waste lands board, but it was not to be less than 5s. nor more than 20s. per acre.

The Hon. Mr. ROBINSON said it was proposed by this Bill to give the holders of land Crown grants after a certain number of payments had been made. When they had complied with the conditions of the Act they would be entitled to a Crown grant.

The Hon. Mr. BONAR.—At present there was a certain fixed value at which the lands in the Province of Nelson could be sold—they were not to be sold for less than 5s. nor for more than 20s. per acre. Under the present Act, lands could be leased in the Province of Nelson by paying an annual rental of 5 per cent. on the assessed value. The difference between the old Act and the Bill before the House was this: Under the old Act the lessee had a right to purchase the land at any time during the currency of the lease, at the full assessed value of the land, without getting any credit whatever for the sums which he had already paid; but in the Bill under discussion it was proposed to charge a rental of 10 per cent. for fourteen years, the rental going towards the payment of the purchase money, which, at the end of the fourteen years, would be completed. The holders would have to pay a considerable advance on the price of leases as compared with what they paid at present. They would have to pay, for fourteen years consecutively, at the rate of 10 per cent. on the assessed value of the land, so that there would be a considerable difference in the price charged for leases; but, at the same time, the land could not be sold for less than the price laid down in the old regulations.

The Hon. Mr. ROBINSON.—There is no minimum fixed in this Bill.

The Hon. Mr. BONAR said that they could not reduce it below the minimum which was already fixed by the Waste Lands Act; and, therefore, it would be superfluous to insert the prices in this Bill. Some of the present leaseholders might think it an advantage to come under the operation of this Bill, and an opportunity was afforded them by clause 7 of the Bill to do so, the object of which was to permit those holders who had taken up their land at 5 per cent. to come under the operation of this Act by paying

10 per cent., and becoming the owners of the land at the expiration of fourteen years. He thought that it was only fair that those who had taken up land under the old system should be allowed, if they thought it was any advantage to them, to come in under this Act as well as others. The other feature which he found in the Bill was one with reference to the granting of protection to the discoverer of auriferous ground. That was a matter which, as they all knew, had been brought prominently before them with reference to the auriferous discoveries which had been made in the Province of Nelson. He thought that the provision was a very wise one. Protection was granted to the discoverer for thirty days, and he was allowed to take up his land on somewhat easier conditions than if it had been a proclaimed gold field. In the proclaimed gold fields the lease would come under the operation of the Gold Fields Act. He thought that the Bill was a very useful one, and calculated to promote settlement. He should give it his hearty support, as he believed it would prove a great benefit to the public.

The Hon. Mr. SEWELL thought they were much indebted to the honorable gentleman who had just sat down, for the trouble he had taken and the information he had given to the House. As far as he (Mr. Sewell) could form a judgment on the matter, it appeared to him that the Bill before them was one to which the House ought to give a second reading. With regard to the provisions in the latter part of the Bill, for giving the discoverer of auriferous land protection for his discovery, they knew that the omission of such a provision in the existing law had given rise to serious difficulties in the Province of Nelson. It seemed to him that the provision was a reasonable one. But he was rather struck with other parts of the Bill, the object of which was to give special facilities to persons to settle on the unoccupied and unimproved land in the Province of Nelson. That, also, was the object of the Act of 1867, but the provisions of that Act limited its operation to land not suitable for agricultural purposes. The present Bill extended the provisions of the former Act to all lands in the Province of Nelson, whether suitable for agriculture or not. It might be true that there was within that Province only a small portion of land suitable for agricultural purposes, but that was a good reason for guarding with more jealousy what land there was of that quality remaining; and if, as had been argued, there was little or no land of that kind in the Province, why remove the restriction; or if it was intended to confine the measure to land not suited for agricultural occupation, why not allow the Act to remain as it was? It seemed as though it was intended to open the whole land in the Province of Nelson, of whatever character it might be, to those facilities which were before intended to be limited to lands of inferior quality, and though it was true that the land might not be suited for agricultural purposes, it was also true that there might be a vast amount of undiscovered mineral wealth in those lands, all of which came within the operation of this measure.

The Hon. Mr. WIGLEY.—Auriferous lands were exempted.

The Hon. Mr. SEWELL was speaking of unknown and undefined land. There was another circumstance which occurred to him in connection with the question, and that was, the contemplated construction of railways, which had been the subject of their debate that day. One of the railways under discussion was a proposed line from Nelson to the Grey. The intention of the promoters of that line was to effect its formation by means of an arrangement by which the payment for construction was to be made in land. If, as was proposed by the Act under discussion, all the lands along that line of railway were to be immediately opened to persons who might take possession of them upon the easy terms proposed, they would be debarred from dealing with them for railway purposes.

The Hon. Colonel WHITMORE, C.M.G., hoped honorable members, in considering the subject, would remember with what reluctance the Council had always entertained any proposal of such a nature as that asked to be confirmed by the Bill before them. The Bill was carried in the Waste Lands Committee by a very slender majority. The principle of granting leases in the manner proposed was, he thought, exceedingly doubtful, if not vicious. He knew that practically the Government would, before long, be called upon by the holders of the larger leases in the same part of the country to place them upon an equality with those who obtained the 200 acre sections leases, and he thought the Council should pause before it accepted the principle of deferred payments in the purchase of land. The present Bill would only be an instalment, and honorable gentlemen should fairly look the matter in the face. The Act provided that a certain class of persons, by allowing their rent to be doubled, or theoretically doubled, could obtain their land by payments extending over fourteen years. Now, he was not quite prepared to admit that that payment would really be doubled. The estimates of land made in 1867 might be very different from those made in 1870, and it was quite possible that the total amount of rent paid under the estimate of 1870, at a calculation of 10 per cent., would really be less than the amount paid under the estimate of 1867 at a calculation of 5 per cent. He disliked the principle of the Bill, and he would be quite willing to see it put back for a little while, not because, as was suggested by the honorable the Minister of Justice, it might create some inconvenience with reference to the railway that was proposed—for he hoped, before the Railway Bill left the Council, that they might strike out the clause relative to payments in land—but because he looked upon it as a step which they would not be able to retrace if it were once taken. It was inaugurating a new system of land purchase in the country, by a method which the Council had always hitherto avoided.

The Hon. Mr. SEYMOUR would support the second reading of the Bill, as he recognized in it very valuable provisions, especially in the latter

part. He hoped that, when the Bill was passing through Committee, the part particularly relating to the leasing of lands would be very much modified, if not altogether struck out. He was satisfied the result of those provisions would be that in a very short time the whole of the lands in the Province of Nelson which were capable of settlement would be locked up in the hands of small leaseholders, and that immigrants coming into the country would not find an acre which they could purchase.

The Hon. Colonel RUSSELL would support the second reading of the Bill. He did not see how they could consistently interfere with the passage of this particular Bill, when they had sanctioned such an infinite variety of proceedings with regard to the waste lands in other Provinces. They had authorized land to be sold at every imaginable sum, and had allowed it to be given away in Auckland; and why they should now turn round upon the Nelson Province, which appeared to have gone through the usual form of passing the Bill through the Provincial Council, he really could not see. At the same time, he must confess, with regard to the present and all other land Bills which had passed through the Council this session, that he was filled with apprehension as to how they were to be made to run in unison with those projects which the Government had for the introduction of immigrants and for the giving away of land in the Provinces; but as no objection has been taken to that, and as the Government did not object to the passing of the Bill upon that ground, he was disposed to let it pass without opposition.

The Hon. Mr. SEWELL explained, with regard to the honorable member's remarks about giving away land in Auckland, that the opening of land was restrained under regulations, and was limited to a particular class of land.

The Hon. Mr. WIGLEY said the Hon. Mr. Bonar had so fully explained the Act that it was hardly necessary for him to occupy the time of the House at any length. The Bill had only been put into his hands very recently, and he had not had sufficient time to make himself as conversant with it as he ought to be. Clause 2, as the honorable member had stated, had been introduced into the Bill for the purpose of repealing a clause which was found to work injuriously. In reference to clause 4, which provided for the remission of the £5 paid on application, the Hon. Mr. Mantell had asked why the clause was not made retrospective. Well, in his (Mr. Wigley) opinion it ought to be retrospective, and that was the opinion expressed by the Crown Lands Board of Nelson, but, if it were made so, the Province would have to refund £2,500, and the Council had recommended that it should not be retrospective. The Hon. Mr. Waterhouse stated that the original holders of leases ought to pay the penalty of £5 if they came under the Act. Well, if that were the case, the penalty ought to remain, because there were numbers of those leaseholders who had not come under the Act, and who had now the opportunity of placing themselves in the position of licenseholders without paying the penalty. Clause 27

of the Act of 1863 fixed the maximum rate at 40s., which he thought the Otago members would consider quite sufficient for agricultural land. He would explain, for the information of those honorable members who were not conversant with the land laws which had been in existence in the Province of Nelson for the last fourteen years, that for a great many years it was the custom of persons who wished to buy land to apply to have it put up at auction, the minimum price being 5s. Therefore, any land which might be considered worth that amount had been purchased a great many years ago. Under the Act of 1867, any person might take a lease of any pastoral land in the Province of Nelson by having it assessed, and paying a certain percentage on the assessment. Honorable members would see, from what he had sketched of the operations of the land laws in the Province of Nelson, that such opportunities had been afforded to persons to take the best, and, in fact, the only land that was worth taking: that very little good land would come under the operation of the proposed Act. He admitted that there was some force in the remark of the Hon. the Minister of Justice, that the passing of the Act might interfere with the scheme for the construction of railways in the Province, but he thought any disadvantage in that respect would be counterbalanced by the fact that the land which would be taken up under the Act would be land perfectly useless for pastoral or agricultural purposes: it would be heavily timbered land. The land taken up under the Act would be taken up by men who, at present, pitched their tents in a certain place and stayed there for a short time; men who would, under the inducements proposed to be held out, take up a lease, clear away the timber, grow a few vegetables, and thereby, in time, make the land valuable. A great portion of the land in Nelson was sold for 5s. an acre, and if that price were increased to 10s. a large portion would remain in the state in which it was at present for an indefinite period. The object of the Bill appeared to be to turn these apparently valueless lands to some account by offering facilities for occupation.

The Bill was read a second time, and ordered to be committed next sitting day.

POST OFFICE BILL (No. 2).

ADJOURNED DEBATE.

The Hon. Mr. SEWELL said that there had been a good deal of discussion on the new clause proposed to be added to the Bill, and he had reserved it, when the Bill was before the Council on a former occasion, with the view of ascertaining the opinion of the Attorney-General upon it. He had since had a consultation with that gentleman on the subject, and he was of opinion that the clause should be introduced into the Bill.

The Hon. Mr. BONAR said that it was at his suggestion that the Hon. the Colonial Secretary had postponed the consideration of the matter, and he still regretted that the Government could not see their way to do away with this clause alto-

gether. The object of it seemed to him to be of a very petty nature, and he would be sorry to see such a regulation upon their Statute Book. It might be necessary, according to the Attorney-General's opinion, that the clause should be inserted in the Bill, so as effectually to prevent letters being sent from the other colonies, but even if the matter were left open, the correspondence that would be sent by the ocean route from New Zealand would be extremely limited in extent, and he thought that clause 6 would have been quite sufficient to have vindicated the position we had taken up in relation to the other colonies, and would have shown that New Zealand would not carry their letters unless they contributed a portion of the cost of maintaining the San Francisco route. It was amply sufficient to prevent the other colonies taking advantage of their mail service unless they contributed towards it. He thought it was very hard that a regulation should be made inflicting a penalty not exceeding £100 on any person posting letters in New Zealand which had been forwarded from Australia for that purpose. He did not think such a practice would be resorted to in the ordinary course of correspondence, and even if it were, they would charge the full postage from New Zealand, in addition to which the postage would be paid from Victoria or any of the other colonies to New Zealand. He did not think they should place themselves in the position of saying to any one sending a letter from South Australia, Victoria, or any of the other colonies, "We will not send your letters, nor will we allow it to be done by persons in this Colony; if we discover any person forwarding letters received from your colony, we will impose a penalty to the extent of £100 for every letter so sent."

The Hon. Mr. MANTELL was not previously aware that there was such an extraordinary provision in the Bill as that to which the Hon. Mr. Bonar had called attention. Clause 6 had evidently been framed without any regard to colonial reciprocity. What was the position in which they placed the captain of a vessel carrying the mails? He was pledged in Melbourne to convey them here safely, but on arriving here he must throw them away, or subject himself to a heavy penalty. As to the new clause, he hoped that they would not disgrace the Colony by placing such a provision upon their Statute Book. If it were persevered in, he would certainly move, on the third reading, that it be made an order of the day for that day six months.

The Hon. Mr. PATERSON believed the clause was intended to meet cases which were of very frequent occurrence during the Panama mailservice. It was found that though Victoria refused to contribute towards the expenses of that service, yet persons in the Australian colonies were in the habit of making up letters into private packages, and forwarding them to agents in New Zealand to be posted; so that those colonies really received the benefit of our mail service without paying anything in the shape of a subsidy. He believed that it was proposed to prevent such a system that the clause was introduced, and he thought,

if brought into operation, it would be found to be very useful, as it would only take effect where anything in the shape of fraud was attempted.

The Hon. Mr. BONAR wished to say a few words in explanation of the remarks of the Hon. Mr. Paterson. He believed some such practice as that pointed out by the honorable gentleman did prevail at the time of the Panama service, but the persons who sent the letters, in addition to paying the New Zealand postage, had also to pay a bookseller one shilling per letter for his trouble in forwarding the packets containing the letters.

The Hon. Dr. BUCHANAN said that after the remarks of Mr. Paterson, who had filled the office of Postmaster-General, and who was, therefore, competent to give an opinion, he was disposed to support the clause. He thought that they should be guided by experience in a matter of that kind.

The Hon. Mr. WATERHOUSE hoped that the clause would not pass. He was a good deal astonished at the Bill itself, and particularly at it having attained its present position without evoking more comment. The Bill, in all its phases, appeared to him to be most objectionable. It was a most uncivil, he might almost say a most insulting, piece of legislation, and, when it came to be read a third time, he thought they should consider whether it was desirable to pass it or not. The proposed clause was, perhaps, the most objectionable feature in the Bill. Any person in one of the other colonies might send a letter to a person in New Zealand, and if that person inadvertently posted it he would become liable to a penalty of £100 if a servant or clerk thought proper to give information to the authorities. They might be assured that the Australian colonies would not avail themselves of the route, their nearest route being by way of Suez. At the present time the mails for Sydney arrived about ten days after the mail by way of Suez, and of course the mails to Melbourne and Adelaide were still later. This route would not be taken advantage of to any appreciable extent by the other colonies, and the passing of the Bill was likely to convey an impression that we were in a bad temper because the other colonies had not subscribed to this route, and that the Act was only intended to give annoyance to them. He would certainly support the proposition that this clause be negatived, and he would support any honorable member who would move that the Bill be read that day six months.

The Hon. Mr. J. P. TAYLOR thoroughly agreed with the remarks of the previous speaker. It would be utterly impossible to enforce the provisions of the Bill without introducing a system of espionage. That would create such a feeling of distrust between employers and employed that it would be necessary to introduce another Bill to avoid such a state of things. He quite agreed with the remark that the Bill would only have the effect of sowing the seeds of ill-feeling between this Colony and Australia. He would certainly vote against the clause, and would support any motion that was made for having the Bill read that day six months.

The Hon. Mr. WILLIAMSON said it appeared to him that New Zealand had not been the first country to display that feeling which had been alluded to. Victoria had imposed taxes on the productions of this country, although she had had free access to our ports for her own productions. He thought the Council were perfectly justified in passing a law which would prevent the line referred to being used by people who did not contribute to it.

The Hon. Mr. LEE said he thought the clause was a just and proper one. As had been already observed, Victoria was at liberty to join with New Zealand in this matter if she chose. However, as she declined to do so, he thought it was only fair that the people of that colony should pay a certain extra contribution. He did not see any reason why the clause should not be supported; in fact, he thought a good reason existed why it should be supported, and he should, therefore, give it his support.

The Hon. Mr. HAWDON said he concurred with what had been urged by the honorable gentleman, Mr. Waterhouse. If we did not support the Suez line, Victoria might retaliate in some other way.

The Hon. Mr. SEWELL said he hoped honorable members would not oppose the introduction of this clause, or, at all events, that the Council would give him an opportunity of allowing the matter to be considered by his honorable colleague. He could not agree with those honorable members who had opposed the introduction of the clause. It appeared to him to be the natural and inevitable application of a plan which they must adopt for their own protection. There was no person more anxious than he was to see a general Australasian compact established as regarded ocean postage, not only in reference to the Suez route but also the San Francisco line. If Victoria shut herself up in her own exclusive interest, he did not think that she had any right to share in advantages which were paid for solely by New Zealand. The clause had not been framed with any unfriendly feeling towards that colony. As he had already stated, he would be glad to see a postal union established with the other colonies, but the first step towards the establishment of such a union would be for New Zealand to protect herself by enforcing the provisions of the clause which honorable members thought so objectionable. The honorable gentleman, Mr. Hawdon, had said that if New Zealand refused to contribute to the Suez line, Victoria might retaliate; but New Zealand does contribute to the Suez line. Was it not, then, reasonable that Victoria should contribute to the San Francisco line? If we intended to protect ourselves he did not see how it was possible to avoid adopting some such plan as that now proposed; in fact, it was only by excluding Victoria from the advantages of the San Francisco line, that New Zealand could prove to her that it would be to her advantage to contribute to its support.

The Hon. Mr. ROBINSON remarked that this clause involved a question of very great im-

portance. If it were passed, the Governor would have power to order every letter put into the post office to be opened. There would be no secrecy at all about the matter. He certainly would not vote for such a clause.

The Hon. Mr. MILLER did not think there was any great danger of Victoria feeling strongly in the matter; in fact, in adopting this amendment, Victoria would only consider that New Zealand was paying due attention to her own interest. The clause read to this effect:—"The Governor may;" it did not say he shall. If any gross conduct were practised, and it came to the Governor's knowledge, he, no doubt, would take steps to prevent fraud. He did not think there was any danger of the system of espionage being carried on, and he thought that the request made by the Government should be acceded to—that the consideration of the clause should be postponed.

On the motion of the Hon. Mr. WIGLEY, the debate was adjourned until next sitting day.

NATIVE LANDS FRAUDS PREVENTION BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said it had been brought in in accordance with the recommendation of the Select Committee. A Bill had been brought down by his honorable colleague, in the early part of the session, for the amendment of the Native Reserves Act. It was read a second time, and referred to a Select Committee, who considered its provisions with great care, and made a report upon the subject, which was read and ordered by the Council to be printed. The Committee, in that *ad interim* report, recommended that a Bill of the nature of that now proposed should be introduced, and, in accordance with that recommendation, the present Bill was introduced. If the Council should not think fit to adopt it, it would still be open to consider the former Bill, the object of which was to provide simply for the administration and management of Native reserves. Those Native reserves were principally of two classes. First, there were reserves set apart by the New Zealand Company out of lands granted to the company by the Crown. Secondly, under the provisions of "The Native Reserves Act, 1856," where Natives sold land to the Government, reserving to themselves certain excepted portions, the Natives were enabled to bring such excepted portions under the operation of the Native Reserves Act, and the lands so reserved were to be utilized for their benefit. There were other reserves which had since come under the same category by the operation of the Native Reserves Act. The legislation which had taken place on this subject was this: In 1856 an Act was passed by the Colonial Legislature, placing the administration and management of those lands, which were scattered all over the Colony, in the hands of local commissioners, who had powers of leasing and dealing with those lands, and whose duty it was to receive the proceeds and apply them for the benefit of the Natives, subject to the control of the Government. The

commissioners were not paid, and the lands were not of great value; there were, besides, a variety of causes which led to the Act becoming dormant. In 1862 another Act was passed, which did away with the local commissioners, and the powers conferred on them by the former Act were transferred to the Government; the Government being authorized to delegate its powers to local officers. From various causes that Act had also become a dead letter. In 1867 another Act was passed which had likewise become a dead letter. The object of the Bill referred to the Select Committee was to constitute one public officer to be a trustee of the whole of the Native reserves, as an independent officer, only responsible to and under the direction of the Native Lands Court. Power was given to appoint agents in different places responsible to the Native trustee, but who would be alone responsible for the administration of the trust. The Bill so introduced was recommended to the acceptance of the Council by its having been prepared under the direction of, if not by, the chief judge of the Native Lands Court, Mr. Fenton, to whom, of course, the Legislature, in all such matters, would pay the utmost deference. He much wished that honorable gentleman were present to represent his own views. The Hon. Mr. Mantell might, however, know that honorable gentleman's views sufficiently on this subject to explain them to the Council. It was right that he (Mr. Sewell) should say that, in recommending the Council to adopt the Bill now submitted to them in lieu of that originally introduced, he was taking a course to some extent at variance with the authority of the judge of the Native Lands Court. He would briefly state the reasons which had induced the Select Committee to come to the determination not to recommend the adoption of that Bill,—reasons which were set forth in their report. First, as regarded the lands to be administered,—they were scattered over the country, from Auckland, in the extreme North, down to the extreme South. It was physically impossible for one individual to manage estates spread over such a wide area. Again, the Bill provided for the appointment, by the trustee, of local sub-agents; but it did not appear to the Committee desirable that the appointment of local sub-agents, who were practically to administer these reserves, should be removed from the control of the Government. The Government were responsible to the country, and the actual administrators of the lands ought to be responsible to them. For his own part, he did not think practical good would result from placing the administration of those reserves in the hands of an irresponsible officer; indeed, he could see many disadvantages which would arise from the appointment of local sub-agents not responsible to the Government, or under its control, but appointed by an officer who would be himself practically irresponsible. For instance, when the question came up as to providing for the department and the charges of it, there would arise that conflict which always arose when a department

of Government was to be provided for upon the estimates, over which the other House had no control. The first step in the working of such a system would be a conflict between the lower House and that department. He admitted that it was desirable, as regarded trust property which consisted of money, to constitute some independent authority which should be the custodian of it. It was desirable that such moneys should be placed beyond the control of the General Government. A machinery which might be available for such a purpose was about to be provided in another and better form—the constitution of a public trustee, who might take charge of such trust funds. There were other reasons why he thought the plan proposed in the Bill originally submitted to them would not be found to work satisfactorily. Apart from the management of the lands, the trustee would necessarily be charged with other discretionary powers. It was proposed to invest the trustee with the powers of an Act which stood on the Statute Book—"The Real Estates Management Act, 1867,"—which constituted a trusteeship for Native families. It lodged in the trustees a discretionary power as regarded the application and administration of Native trust funds, involving duties of a character which should not be properly vested in an officer not directly responsible to the Government. That was the opinion of the Committee. An officer charged with functions of that kind should be responsible to some higher authority, and they had to consider how best provision could be made to insure that responsibility. The Bill, as originally prepared, proposed to make the trustee responsible to the Native Lands Court. That would be giving the Native Lands Court a jurisdiction analogous to that of the Supreme Court. It would have made it a Court of Equity to superintend the administration of Native trusts, and to control and direct the action of the trustee, who would be responsible to the Court for what he did or omitted. Then came the question whether the Native Lands Court could advantageously undertake duties of that kind. The general opinion of the Committee was that it could not. The object of the Native Lands Court was simply to disentangle Native titles, to determine questions of title between the Natives, and to effectuate the partition of land between Native owners; but it was not intended to go further. It would be seen, from the evidence of Judge Smith, that the Native Lands Court would not, in his opinion, be a fit tribunal to exercise this new kind of jurisdiction. For these reasons, the Committee had come to the conclusion that the Bill as originally proposed would not effectuate the desired object, would not, in fact, secure the careful and better administration of the trust estates, or the appropriation of their proceeds to the proper objects. In the course of the investigation the attention of the Committee was necessarily drawn to those Native trusts which had grown up under the operation of the Native Lands Act. The operation of that Act had been to create additional classes of Native trusts, and the proper execution of those trusts

very deeply concerned the well-being of the Colony. He did not believe that there was any subject which more vitally affected the future welfare of the Colony, its peace, and its progress, and the success of those plans of colonization which were under consideration, than the proper execution of those trusts. The object of the Native Lands Act was two-fold: to bring the great bulk of the lands of the Northern Island which belonged to the Natives, and which, before the passing of that Act, were *extra commercium*—except through the means of the old land purchase system, which had entirely broken down—within the reach of colonization. The other great object was, the detribalization of the Natives,—to destroy, if it were possible, the principle of communism which ran through the whole of their institutions, upon which their social system was based, and which stood as a barrier in the way of all attempts to amalgamate the Native race into our own social and political system. It was hoped that by the individualization of titles to land, giving them the same individual ownership which we ourselves possessed, they would lose their communistic character, and that their social status would become assimilated to our own. That was taking place to a great extent, but the result had not been as yet attained, and would not be attained for many years. But, in the working of the Native Lands Act, difficulties have arisen. That Act only enabled the Native Lands Court to confer individual titles. Native owners applied to have their land brought under the operation of the Court, and the Court determined who were the rightful proprietors. But it could only deal with individuals, and it did so by name. Crown grants were issued to individual Natives conveying to the grantees named in the grants individual proprietary rights. But, underlying those individual rights, were those tribal communistic interests which were still existing. A tribe, for instance, wishing to bring its land under the operation of the Act, was obliged to do so by having its lands granted to certain Natives by name as individual proprietors, though the real intention of the transaction was to vest the lands in them as administrators only, for the benefit of the tribe. In some cases these grants were made without any declaration of trust. The persons to whom the grants were made, appeared, on the face of the grants, to be absolute proprietors. In other cases there was a general declaration of trust, with a power of granting leases without control or limitation, which was a power tantamount to a power of alienation. Those who were the real objects of the trust were thus left unprotected, and the practical result was that, in various parts of the country, lands had passed, and were passing, from the Native proprietors to individual persons of the Native race, who were really intended to be only trustees, but who having, under the Act, acquired absolute dominion over the land, were dealing with it to the detriment of those whom they represented. That was taking place, he was sorry to say, to a very large extent. He was told that in many parts of the country Native tribes were

becoming pauperized; their lands were vested in trustees who were not faithfully discharging their trust, and were passing away into the hands of Europeans, who obtained them through inequitable bargains. He could conceive no greater danger to the Colony than for large masses of Natives to be denuded of their lands and pauperized. The next step to pauperization would be brigandage, which would be fatal to colonization. The colonists were deeply concerned in arresting the progress of this great evil. In the opinion of the Committee, the subject was one which demanded the careful consideration of the Government during the recess, with a view to legislation next session. In the meantime, the Committee were desirous, if possible, of arresting the evils which he had pointed out, and had recommended the introduction of a Bill for that object. The Bill which he (Mr. Sewell) now submitted to the Council had not been under the consideration of the Select Committee, but had been drawn up by the Government in accordance with its recommendation. He now asked the Council to read it a second time. Its object was to prevent, as far as possible, the mal-administration of lands vested in trustees for the Natives, in cases where trusts had been created in the names of individual proprietors, but really for the benefit of Native communities,—to take care that those trusts were fulfilled, and that lands were not alienated so as to defeat the true objects of the trust. It was proposed expressly to declare the kinds of fraudulent and illegal transactions which should invalidate dealings with Native lands. In the practical application of this principle, one great difficulty was to steer between two opposite dangers. We must not attempt to take the Natives under our protection, controlling their free agency in dealing with their own lands. That would be equally resisted by Europeans and Natives. On the other hand, it was necessary to extend to the Natives the same protection which we provide for ourselves in our own tribunals. What was meant by this Bill was to declare that transactions which were plainly against law and equity should be invalidated; to provide means by which the circumstances attending those transactions should be investigated; and to provide an easy, cheap, and speedy process to which parties, whether Natives or Europeans, might resort for determining questions springing out of these transactions. It was proposed by this Bill to constitute districts, and to appoint officers within such districts, whose duty it should be to examine into all transactions between Europeans and Natives respecting Native land. The Bill will declare that no alienation of Native land shall henceforth be made until the trust commissioner shall have satisfied himself that the transaction is fair and equitable, that it is not in contravention of the trusts affecting the land, and that the consideration for such alienation does not arise, either wholly or in part, directly or indirectly, upon any contract for sale of liquor or arms. It would be observed that these transactions were forbidden by public policy and equity, and accordingly it was provided in

the Bill that every deed intended to effect any alienation of this character should be null and void. The duty of the trust commissioner will be to inquire into the circumstances attending every alienation—the nature of the consideration, whether it has been paid, and whether the parties understood the nature of the transaction. For the purpose of enabling him to discharge this duty, it was proposed to give him the powers vested in commissioners under the Commissioners Power Act. If the commissioner was satisfied that the requirements of the Act had been complied with, he would certify to that effect; and no instrument relating to the alienation of these lands will be allowed to be registered, or admitted as evidence in any court of law, without the certificate of the commissioner. But in the event of either Natives or Europeans being dissatisfied with the decision of the commissioner, it was proposed by this Bill to give to any party who might feel himself aggrieved, power to appeal to the Supreme Court against the decision of the trust commissioner, which appeal, it was proposed, should be conducted in a simple and inexpensive mode; and power would be given to the Supreme Court to confirm or annul these transactions as in its judgment it might think fit. Then it was proposed, in order to meet the difficulty of the Supreme Court being overburdened by this work, to enable the Governor, with the approval of a judge of the Supreme Court, to appoint a barrister, with power to exercise the functions of the Supreme Court. Power also is given to the Governor in Council to regulate the manner in which the Commissioners shall discharge their duties. He had pointed out that the general scope and intention of this measure was to insure, in all land transactions between Natives and Europeans, a system of fair dealing. He was satisfied that the safety and future progress of the Colony depended upon the establishment of such a system; because, if the Natives found themselves, by the operation of our law, stripped of their land, and reduced to pauperism, there would certainly grow up feelings of discontent which will become dangerous to the peace of the Colony and obstructive to the progress of colonization.

The Hon. Colonel RUSSELL thought they must all feel indebted to his honorable friend for the very clear exposition of the state of this question which he had put before the House. He was himself, with several other honorable members then present, a member of the Committee which investigated this subject, and they could not but appreciate the very careful and able manner in which their inquiries were conducted by their learned chairman. Undoubtedly it was a question of the very greatest importance, because it affected not only the welfare of the Natives but it affected also the welfare of a great portion of the Colony. He had always felt that to be the case, and had always taken a wide view of the matter, although not generally in accordance with the commonly received views. His view had been that, at the same time that they were most careful in their protection of the Natives from fraud and oppres-

sion, they should not allow them to retain a greater quantity of land than they could make use of; and the sooner the rest passed into the hands of Europeans the better. That opinion he still maintained. He stated, years ago, that it was a mistake on the part of the Government, in the old days of the Colony, to pursue the course they then did towards the Natives with reference to the land. He always thought it was a mistaken policy; and he considered that any policy which kept the waste lands of the Colony in an unoccupied state was a very great mistake. Therefore, he thought that, after they had made every provision which they could for the Natives, they should offer no obstruction to Europeans obtaining possession of the rest of the land. When the Bill now before the Council was put into his hand two days ago by his honorable friend, who requested him to look over it, he was a good deal staggered, and, up to the present moment he must acknowledge that the Bill did not satisfy him, for it appeared to him to put such enormous power into the hands of individuals as would impede the passing of the surplus lands into the hands of Europeans, who would make a good use of it. He thought that the Act, as it stood in its printed form, would be a great obstruction to the future prosperity of this country. That was a great objection which they must endeavour to get over; and he had no doubt that, between this and Thursday next, when the Bill would be committed, his honorable friend would give himself (Colonel Russell) and other honorable members who took an interest in the subject, an opportunity of considering whether they would not be able to strike out a course which would be more effectual. As to the machinery provided for certifying to the correctness of any sales which might take place, he approved of that, but he thought that the power which it was proposed to place in the hands of a barrister was objectionable. It was true that the chief objection to that had been got over by the little interpolation which his honorable friend proposed to make in the Bill, to the effect that the barrister should be appointed by the Supreme Court. As the clause stood, the appointment would be left in the hands of the Government, and that would have left it open for the appointments to be filled up by very unsuitable persons—by such extraordinary specimens of the learned tribe as were to be met with in most Provinces. He hoped that between then and Thursday they might be able to devise something which would be an improvement on the Bill, and still carry out the object which his honorable friend desired to attain. He should vote for the second reading of the Bill with that understanding.

The Hon. Mr. MANTELL could not say that he was satisfied with the Bill as it stood. It was capable of improvement, and he believed that it was intended in good faith on the part of the Minister of Justice to effect good ends for the benefit of the Colony. Therefore he should not oppose the second reading, but would be quite content to leave the remodelling of it in the hands of his honorable friend. For his own part, he did

not take the same interest in the question now as he did some years back; so many steeds had escaped from the stable lately that he did not take much interest in constructing a door now. With regard to the Native reserves, they had been appropriated by the Government otherwise than was originally intended. When funds accruing from Native reserves had been used for the construction of a building for the reception of Natives arriving at the seat of Government, what did they find? The Native office, especially charged in the matter, stepped in and took possession of the dwelling-rooms, and the out-houses were appropriated by His Excellency the Governor for stables, and the Natives turned out to get shelter where they could. Such things created an impression on the minds of some of the Natives which was not to be done away with by the proposal of any further machinery for the protection of their interests. It was all very well for them to indulge in their friendly and honorable feelings towards the Natives, but it would be quite unreasonable to expect that the first, second, or third example of their friendly and just feeling towards them would have the effect of removing from their memory the long period of spoliation, cheating, and wrong to which they had been subjected by successive Governments. The Bill which his honorable friend had referred to—the Native Reserves Bill—certainly did attract a great deal of attention last session, and his honorable friend thought more highly of the Bill than he (Mr. Mantell) did, but he believed, before the end of the session arrived, that honorable gentleman would have been very much disappointed if it had passed into law. He was quite sure the honorable member would be as well satisfied as any of them that the Bill had not been placed upon the Statute Book. But he did not know the honorable gentleman's mind. When honorable members, especially honorable and learned members, attained a certain pitch of proficiency in their knowledge of politics, he did not even venture to ask whether they knew their own minds. A few years ago he used to imagine from time to time that he had known honorable gentlemen's minds, but he had found that he had been mistaken. In wandering about in search of what their minds were, he had found them wandering about themselves in pursuit of the same object. He did not attach the same importance as the Hon. the Minister of Justice did to the evidence of one judge of the Native Lands Court, given before the Committee, that the Native Lands Court was not the proper tribunal for that particular jurisdiction. He had told his honorable friend before, and he repeated it, that there were officers of the Government, and very worthy officers, who would, *prima facie*, object to the imposition of any new burdens upon the Colony. He did not think that the jurisdiction proposed to be given to the Native Lands Court was that which they should give to every judge of the Native Lands Court; at the same time, he saw no objection to giving that jurisdiction to the chief judge which might be given under the Bill. The Hon. the Minister of Justice, in his sketch of the legislation with regard

to the Native reserves, did not take the same view of the matter as he (Mr. Mantell) did. He thought their endeavours were frustrated and their hopes were blighted through the impatience of the would-be purchasers of the land, in purchasing during the period fixed under the original Native Lands Act between the date of the certificate of title and the subsequent issue of the Crown grant. He always looked upon that as a very important period, and it was quite contrary to his wish and his idea of what was right that that period should be obliterated, or, as was really the case, annihilated. It was very unwise indeed for them, in their legislation, to have given up that period during which the Native really first felt the possession of property under a title from the Crown, and the only time when he could not part with it, as all negotiations were of necessity void. To do away with that period was a most imprudent thing. However, it had been done away with, as it was almost impossible to resist the pressure brought to bear by people who had votes, or who could command them, and they would meet the natural result. He was sorry to see that there were no retrospective remedies provided by the Act. He had hoped, from what the honorable gentleman had said, that past transactions would be capable of investigation on the appeal of parties—

The Hon. Mr. SEWELL.—There is the equitable jurisdiction of the Supreme Court.

The Hon. Mr. MANTELL.—The equitable jurisdiction of the Supreme Court was not likely to be troubled at all by the Natives for some time. They had heard rumours of many cases in which the Natives had been cheated out of their lands, and of their having parted with them illegally, not knowing what the consideration was. He would read to the Council, with the omission of names, a case which was on record, which would give some sort of idea of the transactions which were said to be going on. The case related to property which belonged to an honorable member of another House. It was reported as follows:—

“Tareha, with eight other Natives (one of them Karauria, a chief who was killed in action against the rebels in Poverty Bay), under a Crown grant issued in or about the year 1866, was entitled to a block of land containing about 1,250 acres, situate about ten miles from Napier, and known as Mangateretere West. Our readers will readily recognize the block as one situate near the Big Bush, upon a position of which the buildings belonging to the Hawke's Bay Boiling Down Company have been erected. A portion of this land (900 acres) was leased by the Native owners, in April, 1867, to ‘certain persons’ for a term of twenty-one years, at a yearly rent of £450; the rent after the first eleven years to rise to £540. In July, 1868, the beneficial interest in this lease became vested in the ‘future purchaser’ by way of mortgage, for securing the sum of £500, and further advances to the lessees. On the 1st September, 1869, the ‘purchaser’ entered into a contract with Tareha, the honorable member before referred to, for the purchase of all the interest of Tareha and of Karauria (killed in action as before mentioned). The contract expresses

to be made for the purchase of 'the piece belonging to myself (*i.e.* Tareha) and Karauria, of the Mangateretere West, our portions of that land, 1,252 acres more or less.' The consideration is expressed to be the sum of £300, £50 paid as an instalment, and 'when all arrangements and the deed of sale for that land are finished, and the man appointed in Karauria Pupu's place, I will receive the remaining £250 for that land, and carry out the above arrangement.' This contract, dated 1st September, 1869, is signed by Tareha, his signature being duly attested by a licensed interpreter, and is registered in the registry of deeds. It needs little calculating ability to see that when this contract is completed by Tareha, and 'the man appointed in Karauria's place,' and the balance of the purchase money paid, the purchaser will have made an excellent bargain. £300 for two-ninths of land let for £450 per annum is about three years' purchase. It should be borne in mind, however, that the rent payable by 'lessees' rise, in eight years to £540, and that the land leased only includes 900 acres of the 1,252 acres comprised in the contract. The additional 352 acres are at least of equal value per acre to the 700. We repeat that beyond all reasonable doubt the bargain was a good one."

Now it was evident that was a case which, if there were any means of investigating it, would be found to be beyond the equitable jurisdiction of the Supreme Court, and would leave an opening for immediate practice on the part of any officer who was appointed to investigate such matters. Averse as he was to retrospective legislation, he did not think it would be at all becoming to be retrospective in their legislation with a view to upset any iniquitous arrangements of a similar nature to the instance he had quoted. That would be a species of retrospective legislation which was perfectly justifiable. He had understood the honorable member to intimate that he did not propose to go into Committee on the Bill until Thursday next, and had given the Council to understand that it was not proposed to go into the matter fully. He (Mr. Mantell) did not go into the matter with any heart, or with any hope that that Bill, or any Bill they might pass, would succeed in effacing the recollections of the iniquities of which they sought to prevent the recurrence.

The Hon. Colonel WHITMORE, C.M.G., thought the honorable members from the other Island must, in cases of that kind, feel that sort of weariness and noncomprehension which he experienced occasionally himself when land questions relating to one part of that Island were under discussion. What was really wanted in the North Island, and especially by the promoters of the Bill, was to find some way of checking abuses which at present flagrantly existed. According to the Native Lands Act, a certain number of Natives, ten at the most, were allowed to have their names put in a Crown grant, thus becoming, in reality, trustees for the tribe, numbering, perhaps, 300 or 400 persons; and because their names were on that Crown grant, it had been customary, since the Native Lands Act came

into force, to treat those parties as if they were the absolute fee-simple proprietors. Now, they did not really stand in that position, but were merely part co-owners and trustees for others, and the result had been, in a great many parts of the country, and in no part more than that in which he lived, that the prevailing vice of the savage had been made use of to induce him to sign away the inheritance of his people. He had frequently, when riding down from his own place, met drays heavily laden with barrels of rum, and he had asked from settlers in the locality, who happened to know, what it was, and they had said "Oh! it is only another swindle." Two or three days afterwards he would hear of some 20,000 acres of land belonging to a tribe having been drunk away at some pa. An honorable member of the other House, whose name had been mentioned already in the debate when the Sale of Spirits in Native Districts Bill was under discussion, appealed to the House to put an end to that sort of thing, and he did not appeal before there was cause, for he had been stripped of every acre of that large estate which he once possessed. Now, if they accepted the testimony of that honorable gentleman, and of another honorable gentleman who spoke to the same effect on the same occasion, they must agree that the Natives themselves were desirous that something should be done to make that easy way of stripping them of their land a little more difficult. Though at present the Natives submitted, and went on submitting, to those bargains made by two or three drunken chiefs, they did so because they had not yet actually begun to feel the shoe pinch; they would get their noses to the grindstone in a short time, and they would begin to understand what was being done when they felt the sharp pangs of want, and then honorable gentlemen would see what retribution would overtake the country for having allowed that great wrong to continue so long. Now, though the particular way in which that mode of stripping the Natives of their land was practised was through their vices, it did not at all follow that the man who purchased the land obtained it on easy terms. If that were the case there might be some ground for the argument which the Hon. Colonel Russell had adduced in favour of letting what he considered well alone.

The Hon. Colonel RUSSELL.—No.

The Hon. Colonel WHITMORE, C.M.G.—I understood the honorable member to be in favour of putting no restriction upon the sale of Native land so long as a little remnant was left in the hands of the tribe.

The Hon. Colonel RUSSELL.—No.

The Hon. Colonel WHITMORE, C.M.G., might have misunderstood the honorable gentleman, in which case he hoped he would excuse him. What he (Colonel Whitmore) wished to convey to the Council was, that he did not think either party was a gainer by those transactions. The Native lands were sold exceedingly dear, and, in many instances, it was not a profitable transaction even to the European purchaser. Parties set their

heart upon a piece of land, and they did not like to abandon it, and so went on bidding against themselves until they gave more than its value. But there was a class of middlemen, chiefly storekeepers and publicans, springing up in the country, who were continually tempting the Natives to sell the land to gratify their dangerous propensities. In that part of the country from which he came it was most noticeable that the Natives were selling their patrimony for rum. Many of those bargains were entered into by the Natives without the latter knowing what they were doing. Where such sales occurred in his part of the Colony—he was not acquainted with such transactions in any other—it was not a matter of reclaiming waste lands at all. The land was already almost in every case held by Europeans for twenty-one years, and it was only an alteration of the tenure from a leasehold to a freehold. From the point of view of the honorable and gallant member, who seemed to look upon it in the same light as the late Bishop of New Zealand and a great many other people, it was desirable that the Natives should be deprived of their superfluous land to make them work. That might be a fair way of looking at it, but, in the cases he had referred to, the superfluity of land was already in the hands of Europeans. In the district from which he came there were five different hapus, or portions of tribes, not one of which believed that they had received value for their land. Therefore he regretted that it had not been found practicable to introduce a clause into the Bill, by which retrospective action could be taken. If the Natives had received the value which they were supposed to have received, it would be opposed to their ideas of justice as well as our own, that the bargain should be set aside; but if it could be proved that they never had an equivalent for the land which a Native chief might have held in trust for his tribe, he thought that they should not flinch from putting the sale aside. There was another argument in favour of the Bill to which he wished to allude. If it could be shown—and he believed it could be shown—that the Natives were so closely stripped of their land that in a short time the pressure of want would be felt, was not their interest on the same side as their sense of justice? What could become of a tribe when they had lost everything, lazy as they were, and not naturally inclined to hire themselves out for work. The result would be that those people would march for the interior, and take advantage of the inducements which were so largely held out to them by the disaffected. If future disturbances arose out of those transactions, the blame would rest upon their own heads. They should not flinch from legislation, though he knew that every possible difficulty would be placed in the way of interfering in the matter. It was high treason to suggest to some people that those sales of the land were not right. He did not know if things were the same in other parts of the country, but he knew, of his own knowledge, that there was a large class of persons who thought it was unfair for the Legislature to interfere. But if the Govern-

ment did not interfere, who was to take the part of those who were the real proprietors of the land? Did they think that trustees of white people would be allowed to beggar their children in this way? Of course, they would be prevented from doing so. The weak part of the Bill was as regarded the appointment of a trustee. He did not see how the Act could be properly administered, although his honorable friend the Minister of Justice had devoted a great deal of attention to it. For that reason he would prefer the suggestion of the Hon. Mr. Mantell, that the chief judge of the Native Lands Court should supervise those transactions. If a clause with a retrospective power were introduced, and the Bill became law, he would pledge himself to the Council that it would be found that a large proportion of the sales which had taken place in the last two or three years had been made without valuable consideration. In many cases it would be found that when an equivalent was given it was in the shape of rum. Having said that, he had said enough. He believed he had said sufficient to induce honorable members, if the Minister of Justice had the courage to bring forward a Bill such as he had suggested this session, to give him their entire support. The Bill would, no doubt, be exceedingly unpopular, but it would be exceedingly just, not only to prevent such things occurring in the future, but to afford the Natives some redress as regarded for the transactions which had taken place in the past.

The Hon. Mr. HOLMES had been greatly interested by the address of the last speaker. The subject was one in which they were vitally interested, much more so than at first sight appeared. The effect of such treatment would be to pauperize the Natives, who would be thrown upon the country for support. He had heard recently that in the Province from which the honorable member came there had been land sold at from 5s. to 6s. an acre which was worth 15s. to 20s. an acre. He thought that the Minister of Justice should introduce a retrospective clause into the Bill before the Council, to the effect that no purchase that did not involve the payment in cash equal to ten years' rent of the land should be valid. It was the duty of the Government and the Council to protect the Maoris as against the Europeans. It was not only their duty but their interest to do so. Humanity called for it, and there should be no hesitation on the part of the Government in meeting the question and dealing out even-handed justice. It was their business to see that the Natives were not cheated out of their patrimony. He was also opposed to chiefs being allowed to sell the property of the whole tribe. He thought it was a great injustice, which should not be tolerated. A remedy should be found, and the matter was unquestionably in the hands of the Government.

The Hon. Mr. WATERHOUSE said he would not have troubled the Council but that he desired to draw attention to a defect in the measure, which he trusted would be remedied. The Bill proposed to deal with sales of land subsequent to Crown grants having passed the Native Lands

Court. In the district of Wairarapa, underhand attempts had been made to force land through the Native Lands Court in opposition to the will of the bulk of the owners of the land. At the present time a great quantity of land was held by individuals who refused to come under the operation of the Native Lands Court, and there was a probability that they did not act without sufficient reason. In order to force them to do so this plan had been adopted. In some cases persons had applied themselves to the task of finding an individual possessing but a trivial interest in the land, the bulk of which belonged to a tribe, and that individual, when found, was moved to have the whole land of the tribe brought under the operation of the Native Lands Court. Surveyors were set to work, the land was surveyed, and the matter was then considered in Court on the application of the individual having but a trifling interest in the land. The Natives, however, stood back, and felt indignant that, under such circumstances, the land should be dealt with; and there was danger that in a short time a large quantity of land would be abstracted from the Natives, and be brought under the operations of the Native Lands Court against the wishes of a large bulk of the proprietors. There had been in operation a system known in mining as jumping claims, and that, he was sure, had not been the intention of the Legislature. The Native Lands Court Bill was passed with a desire to promote the interest of the Natives, but they had often seen measures which were passed with the best intentions, frequently work injuriously to the interests of those immediately interested, and he feared that there were classes of people who were beginning to find out the weak points in connection with the Native Lands Court, and who were now endeavouring to direct them against the interests of the Natives. He trusted that the matter would receive the attention of the Minister of Justice. He also trusted that the measure would be passed during the present session, but that it would be made retrospective in effect. If large quantities of land had been parted with, and payment made by giving spirits to the Natives, such transactions were strictly illegal; if, in fact, the law had been violated in that manner, it would be only fair that the transactions should be reopened and the proceedings annulled.

The Bill was read a second time, and ordered to be committed on Thursday.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

This Bill was received from the House of Representatives, read a first time, and the second reading fixed for next sitting day.

OTAGO HUNDREDS BILL.

ADJOURNED DEBATE.

The Hon. Captain FRASER moved the second reading of this Bill.

The Bill was read a second time.

On the motion that the Bill be committed presently,

The Hon. Dr. BUCHANAN said that when the honorable gentleman (Captain Fraser), on a previous occasion, moved the second reading of the Bill, he—probably from inadvertence, for which a new member might be pardoned—said very little in explanation of it. The honorable gentleman had apologized to the Council for having introduced the Bill, as if he were ashamed of the thing he was introducing; but he (Dr. Buchanan) trusted the Council would not allow it to be passed over in such a hasty manner. He confessed that he had found some difficulty in deciding whether he should support or oppose it. On the one hand, he was satisfied that it was a useful and necessary measure, which was well adapted for the purposes for which it was intended, it being merely a modification of the Otago Hundreds Regulation Act, passed last session. The principles of that Act remained untouched, and, therefore, he could not but approve of the measure; but, on the other hand, he objected to it because it had been brought into existence by the action of a small clique in Otago, who, by misleading the public as to facts, managed to raise a feeling of discontent in respect to it. The Act, which was passed on resolutions of the Waste Lands Committee—who carefully considered the circumstances of the case—and which was supported by thirteen out of fifteen of the members of the House of Representatives from Otago, and also by all the honorable members of the Legislative Council who lived there, was now, without having been tried by being put into operation, flung back into the face of the Assembly, and they were required to take the amendment Bill instead, and at the bidding of a handful of political agitators. That was the reason why he objected to it. How could they wonder at an angry feeling being raised amongst the people, when the members of the Executive Council told them that, by the action of the Assembly, the privileges of the Provincial Council had been trodden under foot? One of those gentlemen addressed a large meeting of his constituents to the following effect. He (Dr. Buchanan) was not able to give the exact words of the gentleman in question, for, unfortunately, he had not been able to find in the library a copy of the newspaper which contained his speech. One or two paragraphs in the speech, however, had strongly impressed themselves on his memory, and he recollected that he had asked the meeting, "What was the right and prerogative of the Provincial Council as to the land laws, viewed in the light of past history? The Provincial Council had intimated its fiat to the Superintendent, who had intimated it to the Governor, and who, as a matter of course, but only as a matter of form, gave it his assent, and that it had thus become law." His hearers—who knew no better—believed what was said by a person in his position, and they naturally became very indignant. He went on thus, altogether ignoring the General Assembly, and representing the Governor as being merely a puppet in the hands of the Provincial Council. No wonder, then, that the people became very much irritated. He then went on to charge the members of the Assembly with having grossly

insulted the Provincial Council; and he added, "The runholders are the sons of Ishmael; their hand is against every man's, and every man's hand must be against them, or, else, farewell to the prosperity of the Province." In that way a member of their paternal Government had done his best to set class against class, or rather, he should say, to do all he could to excite the mass of the community against one particular class. And, no doubt, his efforts in that direction would have been only too successful if the Hundreds Act had not become law. That was abundantly proved by the petitions which were presented last session from runholders, praying for redress against alleged injustice, and showing that their property was entirely at the mercy of popular clamour if it were not for the protection afforded them by the General Assembly. On that point a member of the Colonial Government (Mr. Vogel), who knew the circumstances perfectly well, because he had lived for several years in Otago, and had held office there, and administered those land laws, very lately said in another place:—

"He believed that the land laws of Otago had become a curse to it. Large numbers of persons who lived within the Province—men of means and education—were debarr'd from the exercise of a sufficient amount of independence, because they were liable, at the instance of any spiteful member of the community, to have their property injured."

That Act stayed the hands of a party bent on spoliation, and hence their outcry of disappointment and their determined opposition to it. A few months ago a special meeting of the Provincial Council was held with the view to consider the Hundreds Regulation Act, and during that session the gentleman to whom he had referred as having harangued his constituents, made a speech which occupied twenty-three columns of small type in the provincial *Hansard* of Otago. He had the book before him. It was a valuable work, because it cost more than £2,000, but, although it had been sent to every honorable member, few, he believed, had read it, and yet, as a curiosity of literature, it was worthy of perusal, and also as illustrating the strange antics which are sometimes played by rampant provincialism. This was a sample of its contents, taken from the speech to which he had just alluded:—

"We will not only remonstrate, but if our remonstrances are in vain, where the act of the superior Legislature has a tendency to interfere with the rights and privileges of the subject, we will join remonstrance with resistance. It was resistance that gained the British people Magna Charta, the Bill of Rights, and such other measures, and to this day I hold the same with regard to ourselves."

These sentiments might have been aptly expressed in the familiar lines of his native bard:—

Scots wha hae wi' Wallace bled,
Scots wham Bruce has aften led,
Welcome to your gory bed,
Or to victory!

He then went on in the same warlike spirit:—

"If we are to recognize the doctrine that

those who are placed here, notwithstanding that we see our best interests trampled upon, are tamely to submit to whatever may be imposed upon us, then I say,—

Oh, give me back my Georgian cot,
It is not wealth I crave;
Oh, let me live in freedom's light,
Or die if still a slave."

That was the style of oratory which was cheered to the echo by a section of the community of Otago. In the same session another member of the Provincial Executive said:—

"Let honorable members bear in mind, if they once acknowledge the right of the General Assembly to legislate on this question, they also acknowledge the right of the General Assembly to appropriate the land revenue. I am convinced that the constitution is in greater danger from such an Act as that to which I am attempting to draw your attention, than it has been from any action taken by the Council with regard to the land regulations."

As he understood him, he laid it down that the General Assembly had no right whatever to legislate respecting the land laws of Otago, but that that duty devolved upon the Provincial Council alone. On turning to clause 19 of the Constitution Act, however, he found it provided, "It shall not be lawful for the Superintendent and Provincial Council to make or ordain any law or Ordinance for any of the purposes hereinafter mentioned." Then followed several sub-sections, in which the different restrictions were specified. The first had reference to the imposition or regulation of duties of customs. The ninth regulated marriages, and the tenth affected lands of the Crown. So that, according to the Constitution Act, Provincial Councils had just as much right to make laws affecting the lands of the Crown, as they had to make laws for regulating marriages or for the imposition of customs duties. Let it be borne in mind that of the members of the Provincial Council thus specially convened to consider the Hundreds Regulation Act, "seventeen, or nearly one-half, were farmers, while of the remainder five only were connected with the runholding interest, nine with the mercantile interest, six with the gold fields, and one with the legal profession." He was quoting from the *Otago Daily Times* of the 14th May last. In spite of this large preponderance of one particular class, no decided expression of opinion condemnatory of the Hundreds Act was elicited, as was hoped and expected by the dominant party; on the contrary, all the division lists showed a majority of one, except on one occasion when there were two, and once when the Speaker had to give his casting vote to decide the question. The Bill came from what was called "the other place," and they knew that, during the present session, many things had been said and done in "the other place" with a view merely to make preparation for the hustings. It therefore behoved them, unless they were prepared to abrogate their functions as the conservative branch of the Legislature, to scan, with more than usual care, every Bill that

came before them. He prayed the indulgence of the Council on this matter for a very few minutes more. He had stated that there was no distinct opinion of disapprobation elicited at that sitting of the Council; and even the members of the Government were equally divided, three being in favour of having the Hundreds Act put into operation and three being against it. This was what the Provincial Secretary stated of two of his colleagues, who had been the two most active agents in getting up the agitation he had described:—

"I am greatly astonished that my honorable colleague, the Secretary for Lands and Works, should have laid on the table such resolutions as these. I really cannot account for it that that honorable member, so sensible on other matters, should table such resolutions as these. I have a great respect for that honorable member, but when I come to read his speech, and consider it, I cannot but help thinking that it is one long tirade against the members of the General Assembly. The members of the Assembly ought to be respected: an Assembly in which, I think, there are many members who are above suspicion; men neglectful of their self-interests. I do not see why those members should be biassed in any way on this point. The honorable member, the Secretary for Lands and Works, makes a quotation from Stuart Mill. I may be allowed to make a quotation from an author I read some years ago. That author said that every man was mad on one subject. I cannot account for the honorable member, the Secretary for Lands and Works, coming before this House with these resolutions, except that he is mad on the subject of the Hundreds Regulation Bill.

Then comes the honorable member for Tokomairiro, with a large amount of eloquence which I shall not attempt to imitate. His speech may be summed up in one word, a word I heard used in another house in this city—if I am not called to order by Mr. Speaker for using the word—balderdash. The sum and substance of the honorable member's remarks was balderdash."

Those remarks were very frank, but not altogether complimentary, for one member of the Government to use towards others who held office with him. The proceedings that took place during that session showed that the inhabitants of the Province generally would not have been indisposed to have the Act put into operation if they had not been instigated against it in the manner to which he had alluded. It ended by a compromise being effected, as had been stated, much in the shape of the Bill that was before them, but, in spite of that compromise, the party who were beaten were so unscrupulous as not to abide by that compromise, but had actually introduced a Bill into the other branch of the Legislature this session to repeal the Act; so that, on the order paper were to be seen, at the same time, the Otago Hundreds Regulation Amendment Bill and the Otago Hundreds Repeal Bill. As far as he was personally concerned, he being, unfortunately, a son of Ishmael, he would be well content to accept the amended Bill if he could only hope that it would

end the matter finally. The runholder of Otago was one of a meek race; he had been so long jumped upon by the digger and the cockatoo, that he had not sufficient breath remaining within him to make his voice heard. He had been so long danced upon by them, whilst latterly certain members of the Provincial Executive had piped to that dancing, that he was thankful to have peace at any price, nay, even the hope of peace at any price. Even if the Bill were passed, he had no doubt that next session a Bill would come up to repeal or amend it, and in that way they had been going on year after year, so that pastoral property in Otago was almost unsalable; for who would invest his money in an enterprise the security of the tenure of which was so uncertain? Under these circumstances he would reserve his action as to what he might consider it his duty to do, until he should have heard the opinions of other honorable gentlemen, especially of those who came from Otago.

The Hon. Captain FRASER desired to make an explanation. The Hon. Dr. Buchanan accused him of being inconsistent. He would plead guilty to the charge; he was not so consistent as the honorable member, and he would explain why. It had been his intention, considering the action he took as Deputy Superintendent to have opposed the Bill, and thus have sacrificed the welfare of the Province to his own feelings of consistency; but he had been turned from that course, not by the arguments of any living man, but by the words of a dead man. Within the last week he had met with the following remarkable words of the great American essayist, Emerson, which he hoped the honorable member would not forget:—

"A foolish consistency was the hobgoblin of little minds, adored by little statesmen, philosophers, and divines.

"With consistency a great soul has simply nothing to do; he may as well concern himself with his shadow on the wall.

"Speak what you think now, in words hard as cannon balls, and to-morrow speak what to-morrow thinks, in hard words again, though it contradict everything you said to-day."

He thought that those words might be written in large letters in that Council and in another place. The Hon. Dr. Buchanan had treated them to an account of the shortcomings of the members of the Provincial Council. But, in opposition to this, he would mention just one trait of the Otago Executive. A small but rabid section of the Provincial Council said to the Executive, Mr. Reid and Mr. Duncan, both upright, honest men, "We made the compromise last session when we were weak; we are now strong, let us annul it;" but Messrs. Duncan and Reid refused to do so; they said, "We are bound in honor to carry out this compromise; we will stand or fall by it." They stood firm and gained the approval of every man in Otago whose approval was worth having.

Motion agreed to, and the Bill ordered to be committed presently.

UNIVERSITY BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that it had been recommended by a Select Committee. There might be differences of opinion whether the Colony was ripe for the establishment of a university. If they were dealing with this as an abstract question, *tabula rasa*, before them, he should hesitate as to establishing now an institution of this kind. But, in reality, they were not free so to deal with the question. The Provincial Council of Otago had taken action in this matter, and, in the exercise of powers which it had assumed as belonging to itself, had constituted a university. He was not prepared to say whether this action of the Provincial Council was or was not strictly in accordance with the constitutional limitation of the authority of the Provincial Council. It was, at all events, a stretch of the powers of that Council. At the same time, the General Government had relegated to those bodies the very important function of legislating upon that great branch of social economy, the education of the people. They had hitherto suffered the Provincial Council to exercise exclusive jurisdiction in this matter, and, having done so, he was not prepared to say, if those bodies had the power of legislating for the poor, that they had not also the power of legislating for the rich. Therefore, he could not say that any principle had been violated by the establishment of the Provincial University of Otago. At the same time, there could be no doubt that a university, with the power of granting degrees, should be a colonial and not a provincial institution. The Legislature had now, however, to deal with the fact before them. Whatever doubt they might have had whether the Colony ought at this time to undertake this work, the action of the Provincial Council of Otago obliged the Colonial Parliament to take active and immediate steps. But in what direction should they take action? Should they annul what had been done by the Provincial Council of Otago? The Province of Otago had attempted a great and good work in an earnest spirit. It had not only founded the institution, but had given it solid and material advantages. It had assigned to it a building of considerable importance, and a valuable endowment of 100,000 acres of land, producing now a considerable income, and likely to become of great value. That was a guarantee of the earnestness with which the Province had embarked in this work. He did not think that any person would recommend that they should enter into conflict with the Province of Otago, by endeavouring to undo so useful and valuable a work. But should they allow the new institution to remain as it was now, rising into importance, acquiring solidity and status, but beyond the control of the Colony? That, in his opinion, would be an exceedingly unwise course. The result would eventually be that, in the course of time, we should be compelled to adopt it as a colonial institution, but it would in that case pass over to the Colony with all its provincial impressions indelibly fixed. Should they, then, establish a rival university? It would be an

unwise thing to constitute two universities in the Colony. That seemed, however, to be the only alternative left. In his opinion the object of the Bill was a wise one. It was to found a colonial university, and to incorporate with it, if possible, the institution founded by the Province of Otago. The Province of Otago had, in his opinion, met the Colony in an extremely fair and liberal spirit. It had held out its hand to meet the Colony in a manner which ought to be met by the Colony in a corresponding way. The Province said, in effect, to the Colony, "If you are willing to create a university, and place the seat of it in Otago, then all that we have done shall be at your service—our endowments, and our buildings—and we are willing to surrender to you the practical control of the institution in future." The object of the Bill was to effect such an arrangement,—to constitute a university for the Colony in substitution for the university already founded in Otago. He had heard objections to this arrangement, because its effect would be to fix the seat of the university at Dunedin. To him it was a matter of indifference whether the seat of the university was to be at Canterbury, Otago, Wellington, or any other part of the Colony. He saw no reason why Otago, having taken this step, should not have the local advantages connected with such an institution. He did not mean to say that it would not be a considerable benefit to Dunedin to become the seat of a colonial university. There was nothing more likely to raise its tone and character, socially and intellectually. But he thought the university might as well be planted at Dunedin as in any other part of the Colony. Nor was it necessary that the seat of the university should be at the metropolis. If they looked to the old universities of England, they were not metropolitan. The University of London, it was true, was metropolitan, but that was of modern creation. The old English universities were at Oxford and Cambridge. Indeed, the nature of a university was such that it might seem better for some reasons that it should be placed elsewhere than at the seat of Government; at all events, there was no impropriety in placing it elsewhere. Some honorable members had spoken of a university as a sort of ambulatory body wandering over the Colony, and occasionally fixing its place here and there. That idea of a university seemed to him strange, and inconsistent with the first conditions of a university. The essential object of a university, according to his idea, was to assemble and bring together a body of learned men, to form a great educational power, and so to establish a great school. That was the history of all universities. That was the way in which Oxford and Cambridge sprang up, by bringing together bodies of learned men from all parts of the world, for the purpose of teaching, not, as was argued by some persons, for the mere purpose of examinations. That was not the nature of a university. Its duty was to teach first; examination followed afterwards. What they wanted was to found a great school, and, in order to found a great school, they wanted to bring together a body of learned men.

He could imagine no work of greater importance to the Colony, to its social, intellectual, and material interests, than to bring to the Colony a body of learned men, capable of imparting to the colonists the highest class of education that could be afforded. It was one of those points on which persons inclined to fix themselves in the Colony, either as new comers, or who, being resident, may be hesitating as to remaining here on account of their families, would attach the highest importance. Nothing would weigh more with them than the power of obtaining within the Colony a high-class education for their children, and he considered that the appropriation of a reasonable amount of money towards that object one of the wisest appropriations of public money that could be made. He would not detain the Council further, but would ask them to read the Bill a second time.

The Bill was read a second time, and ordered to be committed next sitting day.

REPRESENTATION BILL.

The Hon. Mr. SEWELL said he took it for granted that the Council would not enter into a discussion of the principle of a Bill which affected the elections of members of the Lower House. He moved that the Bill be read a second time.

The Bill was read a second time, and ordered to be committed next sitting day.

The Council adjourned at five minutes to eleven o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 29th August, 1870.

Public Petitions Committee—Wellington Botanical Garden—Resignation of Mr. Speaker—Case of J. London and F. A. Whitaker—Mining Companies Limited Liability Bill—Constitution of the Legislative Council—Otago Loan—Petition of Edmund Hynes—Forms and Proceedings—Kaiapoi Native Industrial School Grant Bill—Public Revenues Bill—Militia and Volunteers Returns—Volunteer Bill—Case of James Witty—George Green Land Claims Bill—Native Lands Bill.

The SPEAKER took the chair at one o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee, on the petitions of the chairman and directors of the High School, Canterbury, and of certain saddlers of Dunedin, which were read, and ordered to lie on the table.

WELLINGTON BOTANICAL GARDEN.

Mr. ROLLESTON asked the Government, Whether it is proposed to place any sum on the supplementary estimates for the purpose of making a botanical garden and improving the domain in Wellington?

Mr. VOGEL replied that when the Bill was passed last session, it was on the understanding

that there should be no votes of money asked from the Parliament for the maintenance of those gardens, and it would be a breach of faith on the part of the Government to come down with any measure to endow that institution. If the House were to take charge of those gardens, it would be better to do so in a proper way, as the mere expenditure of £300 would not effect much good. The Government did not propose to make any grant of money; but if an honorable member thought proper to table a motion on the subject, some honorable member of the Government might vote for it.

RESIGNATION OF MR. SPEAKER.

The SPEAKER.—Before proceeding to the business of the day, I desire to ask the attention of the House for a very few minutes. I think it is only consistent, gentlemen, with the respect which I owe to this House, that I should inform you that it is not my intention to seek to occupy the chair after this session. Various considerations, which it is not necessary for me to explain, have urged me to this conclusion. One alone is sufficient. I doubt my ability to undertake the duties of the chair for five years more. It has been my fortune, gentlemen, to occupy the position of Speaker of this House for ten sessions, a long period in a young country, where events succeed one another with a rapidity unknown to older communities. These ten years, upon which we now look back, have witnessed events of the greatest importance in the history of New Zealand, and the action of this House has, to a corresponding extent, been of a responsible and important character. I trust that I may be allowed to say that the attitude of the Legislature during the ten years to which I refer, has been one of great earnestness and devotion to public duty, and that, whether engaged in the work of building up the political fabric of a rapidly expanding community, whether engaged in the duty of devising measures to protect the community against dangers which almost threatened its existence, or, again, in reconciling the conflicting interests of two very dissimilar races, the proceedings of this House have throughout been characterized by a large amount of singleness of purpose, by statesmanlike ability, and, above all, by a most remarkable and honorable forbearance and generosity to the weaker race. In carrying out this work it has been my duty to preside over your deliberations and to interpret and apply those rules which you have laid down for the conduct of your business. I have felt, gentlemen, that as your representative I occupied a position of much honor and responsibility, and it has been my anxious endeavour to maintain and extend the high character of your proceedings, to secure for the Legislature its legitimate position and privileges, and jealously to guard the honor and reputation of the House. I am about to retire shortly from the position that I have so long occupied, and I assure you, gentlemen, that I cannot make the announcement without considerable emotion. There remains now for me, in connection with this matter, one duty still to perform, and that is to thank you most sincerely

for the indulgence and support that you have uniformly extended to me. That I have often stood in need of it, it is impossible for me to doubt; but it has rendered comparatively easy the performance of a duty in itself of an onerous, responsible, and delicate character. I assure you, gentlemen, that I shall always retain a most grateful recollection of your kindness, and that I shall look back upon my connection with this House as the most honorable passage of my life.

Mr. McLEAN.—Sir, I am sure the House has heard, with very great concern, the resolution you have arrived at. As one of the early pioneer settlers of New Zealand—one who has taken a distinguished part in the affairs of this Colony, and who has acted with strict impartiality and true dignity in the position you have held, I feel that not only this House, but the country at large, will deeply regret the decision you have come to. Whatever your future career may be, the House will always look back with pleasure to the period during which you have so ably and justly discharged the duties you have had to perform in this House, and which you have discharged to the entire satisfaction, not only of those members within it, but also to the satisfaction of the country at large. I am certain we shall ever remember your presence here, the order you have preserved, and the strict impartiality which you have on all occasions displayed; and those services so ably performed by you will never be forgotten, either by this House or by the country.

Mr. VOGEL.—Sir, as one of those who, I am afraid, in looking back to my career in this House, have, on some occasions, given you more perhaps than an ordinary amount of trouble, I cannot but express the deep feelings of regret which I entertain at the determination you have come to. One is best able to judge more clearly and satisfactorily of things after they have passed than they are at the moment of their occurrence, and I must say, knowing as I do that the proceedings of this House compare most favourably with the proceedings of similar Legislatures in other colonies, it is impossible to be blind to the fact that however much one may at the time feel fretted at the discipline which you think necessary to enforce, that discipline has exercised a most beneficial and salutary effect on the proceedings of this House, and that we owe to you very much of the high character this Legislature enjoys. I may be allowed, on this occasion to express, in common with other honorable members, my very sincere regret that you have come to the determination which you have expressed this day.

Mr. STAFFORD.—Mr. Speaker, I was not aware until I entered the House, a few minutes back, that you had made the announcement you have made on this occasion. Although I had been aware that you contemplated the step which you have now formally announced, I clung as long as possible to the hope that circumstances, and the strong representations which were made to you to reconsider your decision, might have induced you to postpone for some time longer such a decision. It is for me to express, as an individual member

of this Assembly, the deep feelings of regret with which I contemplate your withdrawal from the public affairs of this Colony, with which you have been more or less connected ever since you arrived in this country. When I look back to my acquaintance with you in another country, before we were aware that we should ever have met together in this part of the world, of our having, by preconcert, accompanied each other to the Australasian colonies, of our having subsequently come down together to New Zealand, and when I look to the occasion of our first arrival, and of our having been intimate friends, intimate family friends, for so many years, it is one of those additional remembrances which we all feel as we advance in life, that the pleasurable connections and associations of our youth and our manhood are departing from amongst us.—(The honorable gentleman, overcome by his feelings, was unable to proceed.)

CASE OF J. LUNDON AND F. A. WHITAKER.

ADJOURNED DEBATE.

The debate was resumed on the question, That the petition of John Lundon and Frederick Alexander Whitaker be referred to a Select Committee, to inquire into and report on the allegations contained therein. The Committee to consist of Mr. Hall, Mr. Richmond, Mr. Vogel, Mr. Kynnersley, Mr. Williamson, Mr. Bunny, Mr. Wood, Mr. Ormond, Mr. Creighton, and the Mover; with power to call for persons and papers Three to form a quorum. To report in a week.

Mr. BRADSHAW asked and obtained leave to divide the motion into two parts.

Motion made, and question proposed, "That the petition of John Lundon and Frederick Alexander Whitaker be referred to a Select Committee, to inquire into and report on the allegations contained therein."

Motion agreed to.

Motion made, and question proposed, "That the Committee consist of Mr. Hall, Mr. Richmond, Mr. Vogel, Mr. Kynnersley, Mr. Bunny, Mr. Williamson, Mr. Wood, Mr. Ormond, Mr. Creighton, and the Mover; with power to call for persons and papers. Three to form a quorum. To report in a week."—(Mr. Bradshaw.)

Mr. CARLETON said that, before the second motion was put, he might be in order in making a few observations on this matter in addition to those which he made on a previous occasion. He did not oppose the motion for referring the petition to a Select Committee, because he had made it a rule never, if possible, to oppose an inquiry into any matter which had been made the subject of a petition to that House; but he could not help thinking that this motion was most uncalled for, and that the honorable member himself would do well to withdraw it. It was an appeal from no less than five other tribunals to which it had been referred. Last session it was referred to the Public Petitions Committee, and afterwards to two other Committees which were appointed from this House—one to consider clause 8 of the Native Lands Act,

and the other to inquire into certain alleged grievances on the part of Messrs. Whitaker and Landon. There had been another Committee appointed by the Legislative Council to consider this matter. This session, likewise, it had been referred to the Petitions Committee. The reports of all those Committees substantially coincided. The report of the Committee now asked for would either be in accordance with the reports of the previous Committees, or it would, to a certain extent, be in conflict with them. If they were to assume that it would be in accordance with those reports, then it would be a mere waste of the time of the House; on the other hand, if they were to assume the possibility of its being in conflict with those reports, then, it seemed to him, that to have a series of Select Committees appointed, whose reports should be in conflict with each other, was in the highest degree inexpedient. It showed that a different tribunal was required. The honorable member had not attempted to show that there were any grounds for assuming that the report of this Committee would conflict with those which had gone before. If the honorable member had attempted to show that any substantial wrong had been done, he should say he was right in pressing the matter, and even in doing so session after session until he had accomplished his object. That had been done, and successfully done, before in that House, but the honorable member had not attempted to show that the decisions of the previous Committees were in error. He still went back to the point which he had already referred to. He understood that the petitioners complained that certain evidence, given by witnesses before previous Committees, was either false or incorrect. He had already referred to the fact that the Select Committees with which he (Mr. Carleton) was connected cared nothing about matters of detail,—that they took up the case on broad grounds, and that they have arrived at substantially the same conclusion and on the same grounds as a court of law afterwards arrived at when the whole evidence was considered. Their decision was substantially the same as that described by one of the judges of the Native Lands Court, "That the whole transaction was repugnant to public and private morality." There he thought the matter ought to have stopped. Still, it was possible that the parties might think themselves aggrieved by evidence which he admitted, himself, was calculated to convey a false impression. That evidence was repeatedly referred to the Native Lands Court, and Mr. De Hirsch was subjected to a severe cross-examination. He himself heard Mr. De Hirsch cross-examined by Mr. Rees upon one point on which Mr. Rees believed his evidence to have been false. His own impression was that the deponent believed that his evidence was correct. He heard the counsel put this question to him, "Will you again affirm a certain fact which you have deposed to?" He said, "I will." The answer to that was, "Recollect, you have had your opportunity." He (Mr. Carleton) immediately came to the conclusion that it was the intention of the

other side to base an indictment for perjury on that. He knew that an indictment for perjury was intended to be laid, because he had it from the lips of Mr. Landon himself. He now asked, why was that not done? He believed that the evidence was not sufficient to have sustained a prosecution on that charge. He desired to call to mind two papers [that were printed, one of which was a statutory declaration, and the other, to a certain extent, purporting to be one. One of the papers was drawn up apparently in the form of a statutory declaration by Mr. De Hirsch. That paper he understood, but he would not undertake to affirm it, was printed by one O'Keefe, and there was an assertion in it that was contrary to fact. It was a transaction, if he recollected rightly, relating to the partnership between Macdonald and Whitaker—who were not partners at the time when a certain something was asserted to have been done. In the other declaration, which was a real statutory declaration, the assertion was altered, so as to allow the deponent to escape from the charge of perjury, at all events. He now wished to know why an information or indictment for libel was laid against Mr. De Hirsch, instead of his being proceeded against on the charge of perjury. He was sorry to say it, but his own impression was that it was never intended to be carried out. He felt satisfied, from what he had heard, that it was perfectly well known that Mr. De Hirsch was going away. He would not enter into the details, but some of those which were brought to light were very remarkable. He had heard it stated, he believed in that House, that by some mistake a summons instead of a warrant had been issued. That was one of those mistakes—he would not affirm it was in that instance—which were sometimes made on purpose, but, at all events, his departure was publicly known. The honorable member asked the question in the House the other day, as to whether Mr. De Hirsch's name was down on the passenger list—he believed it was not. He did not think he took the right course by omitting the name from the passenger list, but he could easily understand why he did it; it was to avoid trouble on the day of sailing. He maintained that Mr. Whitaker had the remedy in his own hands, and if he had neglected to use it he had no right to any further interference on the part of the House. He did not oppose the motion; he made it a rule never to oppose a motion for inquiry, but he was quite unable to see of what value the result could be. He did not see how proper evidence could be obtained, because the evidence would have to be sent for to Auckland. They were now nearly at the close of the session and it could not be obtained in time; besides that, he knew not who was to pay the expense of obtaining that evidence, nor did he see how they were to arrive at a satisfactory conclusion with regard to the facts. He did not deny that Messrs. Whitaker and Landon had a right to inquiry, but he did think that the honorable member ought to postpone the motion until next session, in which case he (Mr. Carleton) would give him all the assistance in his power to get to the bottom of the matter. The

Committee should be comprised of members who were not in any way interested in the matter; but all the members connected with the gold fields were indirectly interested in it.

Mr. WILLIAMSON gave the honorable gentleman full credit for the statement he had made, that he had invariably, in that House, supported applications for inquiry into grievances relating to property and other things; but he never before knew the honorable member put himself to the trouble and pains which he appeared to have done on this occasion to lead the House in direct opposition to the course which he had invariably advocated—that was, to give a person petitioning this House an opportunity of being heard by the House. But in this case, when the character of individuals, who were held as highly in repute as the honorable member himself, had sustained, as they alleged, an injury which they sought to have repaired, and merely asked for an impartial inquiry into the circumstances of which they complained, it was remarkable that the honorable member should oppose it. He would not say what motive induced the honorable member to try to persuade the House not to grant the inquiry; but this he would say, that it would be more in keeping with that honorable gentleman's usual course if he had permitted the Committee to be appointed, instead of casting down before the House all the rumours and all the reports which he had heard, in addition to his own impressions on the subject. Instead of doing that, he should have sought to have been heard before the Committee, and to have stated to them, as matters of fact, all that he had stated there in the way of innuendo and insinuation. For his own part, he (Mr. Williamson) knew nothing of this petition until he found it in the hands of his honorable friend. He voted last year against clause 8 being inserted in the Bill, to the dissatisfaction of some of those who were politically connected with him at the time. But when they had a petition from two gentlemen, one of them the son of a gentleman who had for years occupied a seat in the higher branch of the Legislature, and who had likewise been, for a considerable time, a Minister of the Crown, asking for redress in a matter in which they felt they had been wronged, it was not for the House, upon the wild statements of the honorable member for the Bay of Islands, to refuse to grant the inquiry. That honorable member had stated to the House that he had heard so-and-so—that he had an impression on his mind—and that some one said so-and-so—but there was one matter in which the honorable member was wrong. He said it was "perfectly" known that Mr. De Hirsch was leaving Auckland. Now, when the honorable member said the thing was "publicly and perfectly" known, he presumed that meant that the community knew it. He (Mr. Williamson) could say, as one of the Auckland community, that he was surprised when he heard, the next morning after the vessel had sailed, that Mr. De Hirsch had left the country. He believed that some technical difficulty stood in the way of laying an action in Auckland for an act of per-

jury committed in Wellington, and that, he was informed, was the reason why the prosecution was not instituted for perjury. The action was instituted for libel, and Mr. De Hirsch knew that the inquiry was to come on in a day or two. The petitioners stated that he left clandestinely. When they stated that, he supposed they knew nothing about his going. That was a subject for inquiry. He complained that the Petitions Committee, this session, had not put themselves to the trouble of making inquiry into this matter. Their having had the matter under consideration for a day or two was not sufficient to enable them to arrive at the conclusion at which they did arrive, or to make the report which they had made upon it. An inquiry into so grave a charge as that should not be conducted in so hurried a manner. The general industry of that Committee nobody would deny, but there was such a thing as being over industrious. He had no desire to be placed upon the proposed Committee, but if he should be appointed a member of it he would insist—and he trusted that every member composing it would insist—upon hearing from the honorable member for the Bay of Islands all he had to say upon the subject. He thought it would have been in better taste on the part of that honorable gentleman if he had allowed the Committee to be appointed, and then to have gone before that Committee and stated what he had stated to the House, and given some reason for making such statements. The honorable gentleman had said nothing to-day to warrant the course he had pursued, or to justify the House in refusing the prayer of that petition. He would again say that he believed the honorable gentleman was in error when he stated that it was generally understood in Auckland that Mr. De Hirsch was going away. He (Mr. Williamson) was quite sure that he, for one, was not aware of it, and he had heard many others say the same thing. So far from its being generally understood that he was going away, it was known that Mr. De Hirsch had a domestic affliction in his family, and there were other reasons for supposing that he would have remained, for a longer time, at least, a member of the community. He left, and the opportunity for prosecuting the action for libel was taken away from the petitioners, and the House was now asked to look into the matter themselves. The question of compensation was one which would not affect, either directly or indirectly, any member of the House who had interests on the Thames gold fields. As regarded the repeal of clause 8 of the Native Lands Act, the petitioners did not seek to have that repealed; they said that the clause, having been introduced in the Bill, gave grounds for the judges of the Court to give the decision which they did. He admitted that the Committee would not have much time for the inquiry this session, but sufficient might be gathered in Wellington to set aside the petition, or justify the Committee in recommending that amends be made for any injury that might have been done by the action of the House, in conse-

quence of having been misguided by wrongful statements laid before it.

Mr. CRACROFT WILSON, C.B., said the honorable gentleman had repeated certain animadversions against the Public Petitions Committee of which he had given them a taste a few days ago. That honorable member held such an exalted position in the House that his praise or blame fell upon him (Mr. Wilson) very much alike. The petitioners claimed compensation from the House for injury done to them by the legislation of the House. The Public Petitions Committee thought that the House had not done any injury, and that the claim for compensation could not be sustained. He believed the House concurred in that opinion. What the petitioners really meant was that they had suffered injury from the decision of a Court, which decision was given in consequence of a permissive clause which the House had passed last session. His notions of fair play might differ from those of the honorable member for Auckland City West, but he did not think an *ex parte* examination was a fair one. He learned, when a very small boy, *audi alteram partem*, and he had tried, all through life, to act up to that whenever he could do so. He would like the case thoroughly investigated; but at the close of the session, when some of the parties were in Auckland and some in England, it was impossible to come to a proper decision. The Committee might sit, but he would defy them to find out the truth of the case, or to act with justice to both parties in the short period which remained of the session.

Mr. RICHMOND rose to move that the question be amended by omitting his name from the Committee. He did not do so because he felt in the slightest degree interested or prejudiced one way or the other about the matter, but because he felt that if the Committee should arrive at any decision he should consider himself compromised by being dragged after the Committee into some sort of responsibility for that which must be a thoroughly unsatisfactory investigation. It was evident that there was not time to go into the matter, nor was a large Committee of the House a proper tribunal. That view was taken by the Committee on the Native Lands Act last session, when the legislation of which complaint was made was recommended to the House, and their resolution was that the question between the various claimants to those properties at the Thames should be decided on principles of equity and good conscience. That was the wrong which was committed last year; they imported considerations of equity and good conscience, and appointed a tribunal to administer it. He was astonished at what, if he were not speaking of honorable gentlemen in the House, he would call the pettifogging ideas which appeared to have been entertained upon the subject. A vapour of sentiment had been raised which was altogether foreign to the objects of the petitioners. It had been stated that they were young men respectably connected who desired to have their characters cleared of certain stains which had been affixed to them. Now, the petitioners did not ask them to do anything of the kind. They

said it was clearly established that the evidence of Mr. De Hirsch was false in the most important particulars, and that the statement sworn to by Mr. De Hirsch during the proceedings before the General Assembly, that F. A. Whitaker acted as his solicitor in preparing a lease of certain land, had been proved to be destitute of truth. The petitioners therefore considered they had established their characters, and what they asked for was compensation, on the ground that the passing of section 8 of the Native Lands Act of 1869 by the General Assembly, had resulted most injuriously to them, and they had thereby been deprived of valuable property by retro-active legislation of an unprecedented character without any provision being made for compensation. That was to say, they had lost a valuable property because the House had ventured to establish a tribunal which should administer equity and good conscience. Of course, if the House chose to place him or any member on any Committee, they were bound, under pain of disrespect, to act; but he asked the House to allow his name to be withdrawn, because it was utterly impossible for any Committee, at that late period of the session, to come to any conclusion on the subject.

Mr. GILLIES rose to protest against any action that might be taken by a Committee composed as the present one as being entitled to be characterized as an impartial inquiry. If an impartial inquiry had been desired, the efforts to obtain it would have been of a very different nature. An action should have been taken against Mr. De Hirsch shortly after he made the statement which he did. No action was taken until it was generally and currently, he would not say universally, known that Mr. De Hirsch was about to leave. He had heard Mr. De Hirsch state, in a public street, to a knot of about half a dozen people, that he intended to leave, a fortnight before he went away, and therefore it could not be said that he went away clandestinely. Supposing, however, such had been the case, time was allowed to roll on for months, and no action was taken against him until immediately before he went away; and then again, time was allowed to roll on before the petitioners came to the House. The House met in the month of June, and the petition was only presented on the 5th August, when the House was too full of business, and getting too near a close to allow of any fair expectation of an impartial inquiry. Towards the close of the session honorable members got so busy that Committee work was not attended to, except by one or two who took especial interest in getting matters through the Committee. When they looked over the names of the Committee, and saw so many honorable members who had already expressed opinions on the subject on one side or the other—he did not mean on one side more than another—they must admit that it was hopeless for the House to expect that there would be an impartial inquiry, both on account of the lateness of the session and the constitution of the Committee. He had no wish to object to the name of any honorable gentleman especially, but he thought honorable members would see that

the report of such a Committee, at that period of the session, would not have any weight with the House.

Mr. HALL said, as the House had already decided to appoint the Committee, it might not be desirable further to discuss that point, but remarks had been made by some honorable members who had preceded him, and especially the honorable member for the Bay of Islands, to which he felt bound to allude. He understood the honorable member for the Bay of Islands to say that the petitioners did not complain that any wrong had been done to them. Now, the honorable member was in error. They distinctly alleged that a wrong had been done to them.

Mr. CARLETON.—The honorable member misunderstood me.

Mr. HALL.—The honorable member then asked why was not an indictment for perjury preferred, instead of a mere action for criminal libel? The honorable member could not have heard what he (Mr. Hall) said in a former debate on the subject—that an indictment for perjury could only have been preferred in Wellington, which would have subjected the petitioners to a very heavy expense, and this they naturally desired to avoid if their object could be accomplished by proceedings for criminal libel. The honorable member stated that it seemed a suspicious circumstance that a summons was taken out instead of a warrant, as was alleged, by mistake. He (Mr. Hall) had been informed that a warrant had been applied for and refused by the magistrate. That was an allegation which, if the Committee were appointed, could be inquired into by them. The honorable member who spoke last said the petition ought to have been presented earlier in the session. He (Mr. Hall) was informed that that could not be done until some judgment in the Native Lands Court had been given. That, of course, was a matter which might also be inquired into by the Committee. He agreed with some honorable members that the Committee would not be able to exhaust the subject during the present session, but he thought the Committee ought to be appointed, if even only for the purpose of ascertaining whether there was a fair case for inquiry. Let the Committee endeavour to deal with the subject, and if it reported that it could not take sufficient evidence, during the present session, to deal satisfactorily with the matter, then it ought not to come to any definite conclusion either one way or the other. However short the time might be, that was no reason why effect should not be given to the decision arrived at by the House that there should be a Committee. He would only say one word as to the question now before the House—the constitution of the Committee. The honorable member for the Bay of Islands had objected to any members who were shareholders in interests at the Thames gold fields being upon the Committee. Now, as his name appeared in the proposed Committee, and as he had the misfortune to be a holder of shares in Thames interests, he felt bound to notice that statement. If he thought that the fact of his holding shares

in any claims on the Thames had anything whatever to do with the present inquiry, he should at once request that his name be taken off the Committee; but the honorable member was not justified in asserting that the fact of any member holding mining interests on the Thames had anything whatever to do with the subject of this inquiry. The rights referred to in the petition were, he understood, entirely surface rights, and had nothing to do with rights to mines below the surface. It would be just as correct to state that no member from the Province of Auckland should be on the Committee, because the Province of Auckland was interested, as to say that no person who happened to have shares in the Thames gold fields should be put on the Committee on the ground that he was interested in the subject of the inquiry. He did not in the least wish to be on the Committee but he felt bound, in justice to himself and other honorable members who were placed in the same position, to protest against the assertion of the honorable member for the Bay of Islands.

Mr. SWAN thought the honorable member, the mover of the motion, ought to inform the House what his ulterior intentions were in the matter; whether he intended that alterations should be made in the Native Lands Act, to remedy what was said to be a fault in the Act passed last year. He had no objection whatever to the inquiry, but he certainly thought the House ought to understand, before going into the investigation, what the honorable member proposed to do when the report of the Committee was received.

Mr. BRADSHAW wished to make a few observations in reply to the remarks of several honorable members. When the matter was before the House last year, he opposed Messrs. Whitaker and London, in consequence of his having had a document placed in his hands by Mr. O'Keefe, which he now knew to be a false one. It might be asked what did he do with that document? Although he did not speak on the subject last year, he went round the House and placed the document before many honorable gentlemen in order to show them what he then believed, in consequence of the statements contained in it, to be the character of Mr. Whitaker. He was not aware that those statements were not true until the sitting of the Native Lands Court in Auckland, when Mr. De Hirsch himself admitted that they were false. As soon as he had become aware that he had been misled by the document in question, he placed himself in communication with Mr. Whitaker's lawyer, with a view to remedying the wrong which he had done Mr. Whitaker, through his action in the matter, in consequence of those statements; and he thought he had done perfectly right, and what every honorable man should have done. He was summoned to appear to give evidence against De Hirsch in the action for criminal libel, and the case was postponed for a week owing to his inability to attend, and not for the reasons stated by some honorable members. There was a great deal of difficulty in

proving the document which contained the libel and the document which he had shown to honorable members last session, which could not be done until he had sworn he had a conversation with De Hirsch on the subject. The honorable member for Grey and Bell stated that the legislation last session was not founded upon any estimate of the character of Messrs. Whitaker and London. That might be true, but laws were made by majorities, and if he had used the influence which he used last year, through the means of that very false document, in another direction, he might have made a minority of the majority. The statement he had made as to the evidence of Mr. De Hirsch in the Native Lands Court, in regard to the document he had alluded to, could be proved to be correct in the event of an inquiry being held, because the gentleman who took the notes of the evidence was, he believed, in Wellington. With regard to the presentation of the petition, he would state that he had never been in communication with either Mr. Whitaker, senior, Mr. Whitaker, junior, or Mr. London, upon the subject. He received the petition from their lawyer in the matter, Mr. Rees. With reference to the remarks of the honorable member for the Bay of Islands, as to gentlemen holding interests on the Thames gold fields not being placed on the Committee, he would state that he had shares in joint stock companies, but had no direct or indirect interest in anything connected with the case in question. If it were to be a rule that those who held interests in joint stock companies should not sit on Committees, why was not the principle carried further? Why was it that tenants of the Crown were sitting upon Waste Lands Committees, and passing laws which affected themselves. The honorable member for Mongonui stated that it was very well known in Auckland that Mr. De Hirsch was about to leave. He (Mr. Bradshaw) did not deny that some people might have known it, and perhaps the honorable member was in the confidence of Mr. De Hirsch, but he (Mr. Bradshaw) was in the Court the day before giving evidence, and he did not hear it. He agreed with the honorable member for Heathcote and the Premier, that, if the Committee were appointed, very little could be done this session, but an interim report could be made, and further proceedings delayed until next session.

Question put, "That the Committee, as named, shall be the Committee to which the petition shall be referred," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	17

Majority for	...	...	...	...	3
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AYES.

Mr. Armstrong,	Mr. McLean,
Mr. Bunny,	Mr. O'Neill,
Mr. Carrington,	Mr. Ormond,
Mr. Dignan,	Mr. O'Rorke,
Mr. Edwards,	Mr. Vogel,
Mr. W. H. Harrison,	Mr. Webster,
Mr. Haughton,	Mr. Williamson.

Mr. Kerr,
Mr. Kynnersley,
Mr. Macandrew,
Mr. Main,

Tellers.
Mr. Bradshaw,
Mr. Hall.

NOES.

Mr. Baigent,
Mr. Birch,
Mr. Borlase,
Mr. Collins,
Mr. Curtis,
Mr. Eyles,
Mr. Gillies,
Colonel Haultain,
Mr. Jollie,

Mr. Kelly,
Mr. Parker,
Mr. Rolleston,
Mr. Taylor,
Mr. Wells,
Mr. J. C. Wilson, C.B.
Tellers.
Mr. Ludlam,
Mr. Richmond.

PAIR.

For,
Mr. Barff,
The motion was consequently agreed to.

Against,
Mr. Mervyn.

MINING COMPANIES LIMITED LIABILITY BILL.

Mr. GILLIES, in the absence of Mr. MACFARLANE, moved for leave to introduce a Bill intitled "An Act to amend the laws relating to Limited Liability Mining Companies." He said the object of the Bill was simply to amend a clause in the existing Act, which threw some difficulties in the way of extraordinary meetings being held.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

CONSTITUTION OF THE LEGISLATIVE COUNCIL.

Mr. McINDOE, in moving the resolution standing in his name, said he had no doubt many members of the House would consider it presumptuous on his part, having only been recently elected to that House, to bring forward a resolution such as that he now proposed. He might, perhaps, be charged with taking up a position which he should not occupy. In taking a step that had for its object a material alteration in the constitution of the Legislative Council in this Colony, he confessed, and no doubt a great many honorable members would agree with him, that it should have been tabled by some recognized leader of the House, or one who had been for a long time a member of it and who was intimate with its working. But, although it was his first session in the House, he had not been a careless or inattentive observer of its proceedings, nor had he lived for a number of years under the constitution of the country without examining it, and considering those points in which, to his mind, it was defective. He did not, in his resolution, propose to abolish the Legislative Council. Although he held very strong opinions upon aristocratic, or rather *quasi* aristocratic, representation, he did not intend to obtrude them upon the House at that time. His desire was, by the resolution, to assimilate the constitution of the Legislative Council to that of the House of Representatives, so far as making it temporary in its existence and elective in its character. He was quite aware that there were

several other British dependencies, as well as New Zealand, in which the system of nomineeism obtained, but he thought it would be found that some speciality exists which caused the nominee system to be one absolutely necessary. He was aware that at the Cape and in the dominion of Canada that system was in operation. At the Cape, however, the Native element preponderated, and in Canada the foreign element existed, which might justify the continuance of such a system. In other British colonies, however, for instance, Tasmania and Victoria, where the improvements of the country and the development of its resources, as well as the spread of intelligence amongst its inhabitants, the system of nomineeism had been abrogated. He thought it would be well for this Colony to adopt the same course. It would be for the interest of this Colony if an amount of responsibility were made to attach to the Legislative Council which did not now exist. At that moment they had no responsibility whatever. The Governor of the country was responsible to Her Majesty's advisers. His tenure of office was for a period, and he might be recalled at any moment.

The SPEAKER trusted that the honorable member would speak of the Legislative Council with the respect due to that body. He might not, perhaps, be aware that he had committed himself to a remark to the effect that the Legislative Council had no responsibility whatever. He presumed that he made that statement regarding the subject from a special point of view. The remark, if allowed to pass unchallenged, might be taken as having a very wide signification. It would, therefore, be well to modify it, and offer some explanation.

Mr. McINDOE felt obliged to the Speaker for having called his attention to the remark. He did not for a moment intend to make any observation that could be considered in the slightest degree, in its nature or tendency, offensive to the Legislative Council. The idea which he wished to convey was that there was no direct or elective responsibility attached to that honorable House. He knew that in the House of Lords in Great Britain the same principle of nomineeism prevailed, but there was connected with that august assembly a peculiar hereditary responsibility, high character, and privileges, which every member of it felt he had received from a long line of noble ancestors, and which he was desirous of transmitting to his posterity as unstained as they had been received. But in the case of the Legislative Council no such feeling attached to it. It was not an hereditary assembly. The members held their position simply *ad vitam aut culpam*. They were entitled to hold their position so long as they did not commit themselves to anything contrary to what was contained in the constitution. He did not want to have the Legislative Council in every respect assimilated to the constitution of the House of Representatives. He did not think that there should be so wide a range from which to choose its members as that given to the House of Representatives. He believed that there should be some qualifica-

tion, as regarded property, on the part of those who would be competent to sit in the Legislative Council. Possibly the elective franchise, also, should not be so widely distributed as for that House. There could not, in his opinion, be a more opportune time for bringing forward the question. They had been addressing themselves to the simplifying and extending the mode of election by which members of that House were to be returned. They had conferred upon the people the privilege of secrecy in recording their votes, so long sought for by them. They had also, by the Representation Bill, redistributed the seats. They had passed a Bill having for its object the purity of that House, and placing it, in the eyes of the country, above suspicion, by no vote being under the control of the Government. Those were material improvements upon their system of representation, and he thought it was not at all out of time, but rather the contrary, to consider the question submitted in his resolution. He did not think that they were at all interfering with the prerogative of the Legislative Council in discussing the question in that House. He believed many members of both Houses would be glad of an opportunity of considering it. He would not detain the House with any further remarks, but would conclude by moving the resolution standing in his name.

Motion made, and question proposed, "That, in the interests of the Colony, it is desirable that the constitution of the Legislative Council should be assimilated to that of the House of Representatives, and that this resolution should be reported to the Legislative Council."—(Mr. McIndoe.)

Mr. BUNNY did not think a question of that kind, involving as it did so many serious constitutional questions, should be allowed to pass without comment. He was not prepared to vote for the resolution as it stood. By doing so, he thought there was danger of bringing about a state of things which had arisen in a neighbouring colony, namely, a dead-lock. The assimilation of the constitution of the Legislative Council to that of the House of Representatives could have no other effect. He would have no objection to an elective Council, provided power were given to the Government to dissolve the Council when it was found necessary, for the purposes of the state, to do so. There was no power of that kind at present, and if they were to assimilate the constitutions of both Houses, they would be placing in the hands of the Legislative Council the supreme power of the government of the country. It would, therefore, be most unwise to adopt the resolution. The Legislative Council worked very well at present. There was a power given of controlling the action of the Legislative Council, should their action be such as would appear to be injurious to the welfare of the country. He was not prepared to accept the resolution without, as he had already said, power were placed in the hands of the Government of dissolving the Council in the same manner as the House of Representatives might, at the present time, be dissolved. It was then too late in the session to discuss a

question of so much importance, more particularly as it was one that could only be properly dealt with by the Government.

Mr. McLEAN thought it would be unadvisable, at this late period of the session, to press a resolution aiming, as this did, at effecting a great constitutional change in their mode of government. The House could not give it that amount of consideration which he thought it deserved. There was no doubt also that, constituted as the Upper House was, it acted as a strictly conservative body. The legislation that they might pass hurriedly through their own House, received full consideration when it went to the Legislative Council. Before disturbing that institution, which had existed so long and beneficially, the House should pause and hesitate before entertaining a change of such importance in our legislation. During the present session the Government would not be prepared, now that they were on the eve of a dissolution, to bring in a Bill dealing with the question. He hoped, therefore, that the honorable member would be induced to withdraw his motion. It had been upon the paper some time, and had received publicity, and it would be unwise to take any further action in the matter until the subject had been ventilated by the press and the public.

Mr. WILLIAMSON was also disposed to think that the honorable member should withdraw his motion, having regard to the late period of the session. The honorable member was not the only person who thought some change in the constitution of the Legislative Council was necessary. There were, in the Northern Island, many respectable and thoughtful persons who took an active part in public affairs, and who really believed that an alteration in the constitution of the Legislative Council would be necessary before long. In his experience he had not found the Legislative Council often coming into collision with the action of that House; on the contrary, there had always appeared to him to be a willingness on the part of the Upper House to co-operate with the House of Representatives in their proceedings. Although there had been differences of opinion on certain measures, yet, after a friendly conference had been held, it invariably resulted in mutual consideration and a satisfactory settlement of their differences of opinion. He thought it would be unsafe to proceed with such a motion at that period, but, at the same time, they should thank the honorable member for having afforded the House and the people of the country an opportunity, especially with approaching events, of turning it over in their minds. No doubt the proper time would arrive when New Zealand should deal with the question. He would, therefore, join in the recommendation of the Minister for Native affairs, in asking the honorable member to withdraw his motion.

Mr. HAUGHTON concurred in the advisability of withdrawing the motion at that time. When he had first seen it he was inclined to vote for it, but further consideration of the subject led him to see so many difficulties and complications likely to arise if the House were to commit itself to any

plan that would supersede the one under which the Legislative Council was at present constituted, that he thought it would be advisable to postpone the consideration of the matter for the present. If they were simply to take an elective basis, and the members were to be elected for a certain term of years, they would certainly bring about the same difficulties in which the people of Victoria found themselves when there existed a difference of opinion between the two Houses over the Darling grant. The machinery of the state was stopped, there was no possibility of unlocking the doors of the treasury, and money was only procurable by the civil servants at an enormous rate of interest, some being unable to procure any money at all. Unless considerable caution were used in endeavouring to modify the constitution of the Upper House, they might find themselves in the same position. It would be better that, during the recess, the Government should give the matter mature deliberation, and might probably be able to come down next session with a well-considered measure by which the Council might be made elective. Power of dissolution might also be taken, under certain circumstances, without putting too much power into the hands of the Government. Such a plan was practicable, but he did not think the Government would ever be justified in such a dissolution until an appeal had been made to the constituencies from the House of Representatives. In reference to a notice which he had some days previously placed upon the paper, to the effect that it was desirable that the Maori race should be represented in the Legislative Council, he wished to offer some explanation of the reason why it had been allowed to lapse. On looking at the notice paper he had observed, above his motion, one by Mr. Driver, affecting the land laws of the Colony, and another standing in the name of the honorable member for Clutha, and he believed that he was safe in considering that his motion could not come on for discussion until the evening. He had accordingly gone away for a walk, and on returning had found that the motions referred to had lapsed, and he not having been in the House at the time his notice was called, it also went with them. He did not put it on the order paper again, as he thought it would be time enough to take any action next year. He had not put it on the notice paper as a joke, as some honorable members seemed to think. Honorable members who were in the House in 1865, and those who were connected with the Government at that time, or who were in the confidence of the Government at that time, were perfectly aware that it was the intention of Mr. Weld's Government to put three Maori chiefs into the other branch of the Legislature. One of those chiefs was now dead, but the other two were alive. If it were a matter of policy and good government that the Native race should be represented in the House, and he was not prepared to say that it was not, he could not conceive any reason why it should not be represented in the other branch of the Legislature. There were men of very high standing, large fortunes, and ancient lineage, among the

Native race, who were quite as much entitled to a seat in the Legislative Council as many honorable members who now very properly had a seat there. He conceived the existence of an Upper Chamber to be necessary for the conduct of business. Whatever opinions they might have had of the Legislative Council in former years, as to their ability to conduct business, those who had read the debates of late years, and especially those of the present session, must acknowledge that they were equal to any which had taken place in the Lower House. He hoped the honorable member would withdraw the resolution, and he (Mr. Haughton) would be most happy to give him his support in some modified proposal next year, should he again be returned to that Assembly.

Mr. VOGEL said the Government had undertaken to give this subject their serious consideration during the recess. He thought honorable members should recognize this: that it was during periods of excitement, when there was a difference of opinion between the two Houses, that they should have to fear the danger of hasty action on the part of the Government, and that there would be a constant temptation, if such a proposal were carried, to make the Upper House dissolvable at the will of the Government of the day. The opinion had been entertained for some years that it was desirable to give a representative character to the other Chamber, but it was also desirable to give it an independent position. Some power must remain to prevent a dead-lock. Those honorable members who had considered the question on a former occasion, when it was brought forward by the late Mr. Crosbie Ward, would recognize the fact that, while it was necessary to prevent a dead-lock, it was at the same time desirable that the other branch of the Legislature should have an independent position, and that would not be compatible with the proposal that it should be dissolvable at the pleasure of the Government of the day. He did not admit that they should ask the Imperial Government to interfere, nor did he admit that the Government should have the extraordinary power placed in its hands as was desired by the honorable member for Caversham, but there should be some power to prevent a dead-lock. If a Bill were passed in the Lower House and rejected by the Upper House, and if such a Bill were again submitted to the Upper House, and again rejected, provision might be made for bringing the two Chambers together, the minority to submit to the majority in coming to a decision. The first thing that would have to be done would be to limit the number of members in either House, that the Lower House should have double the number of the Upper House, and that the Governor should have power to nominate one or two members to the Upper House. He should not have spoken on the question were it not that it would be rather mischievous to suppose that the Government, in considering the subject during the recess, were desirous of taking the large powers involved in the motion. With regard to the question of Maori representation in the Upper House, no doubt the honorable member for

Hampden was entirely of opinion that it had been a very successful experiment in this House, and that that opinion was the basis of the motion he had intended to bring forward; and when they approached the consideration of the subject, enlightened by the experience of the last two years, it would be a fit question to consider how far it would be desirable to extend the principle. No doubt the representatives of the Maori race should more properly be placed in the Upper House, seeing that they were wealthy landed gentry. He presumed the honorable member had also made himself acquainted with the wishes of the other branch of the Legislature, and had, in accordance with their wishes, been prompted to make the suggestion.

Mr. CARLETON would not have addressed the House on that occasion had it not been for some errors which the honorable member for Hampden had fallen into. He perfectly agreed with the honorable member as to the democratic tendency in this Colony; they were going down lower and lower every step. But if the honorable member thought that the election of the other House was a step towards democracy, he (Mr. Carleton) thought he was very much mistaken, because the effect would be in an opposite direction—it would be highly conservative. The effect would be to make the other House what it was not at present—an absolute power in the state, and a check upon the democratic portion of the Legislature, which was that House. The honorable member had referred to the dead-lock which had taken place in another Colony. That dead-lock could not have been maintained had it not been for the elective character of the Upper House. If it had been a nominee body, of course the Governor and the Lower House, acting in concert, as they did, could have swamped the Upper House, and at once put an end to the dead-lock. The honorable member again fell into an error as to the manner in which the money was raised during the dead-lock in the Victorian Parliament. It was obtained by a most objectionable proceeding, under an Act which was never intended to have that effect,—by a succession of confessions of judgment. He was not indisposed to the proposition for the election of members to the other House. He did not think it was the best remedy, but if he could get no other he should be willing to adopt that remedy. From the first his object had been to make the other House an effective power in the state. At present its action was, he would not say a farce, but it was something very like it. It appeared that the Government had engaged to consider the matter during the recess. He thought it was very unfortunate indeed that instead of considering this matter during the recess they did not do so during the last recess; because, during the present session, they had had the power to inaugurate and carry out great constitutional changes. They had such a power as no Government ever had before, and as no Government, not even their own, save under certain circumstances, could ever have again. Of the two modes of making the Upper House a power in the

state, and an effective check on the Lower House, he very much preferred the mode referred to by the Treasurer. He (Mr. Carleton) had proposed that very method a great many years ago, and he had never seen reason to alter his view. In making a change in that direction, they should limit the number and bring the two Houses together in case of a dead-lock. The only present security of the Upper House from being swamped was in its bulk. But this very bulk was an increasing evil, and, after all, not the right sort of security. Limitation of numbers by Statute was the true course to adopt. They had to provide against the continual increase of the Legislative Council, because, if each successive Ministry made it a point—which it had a fair right to do—of securing to itself a majority in that House, the number would go on steadily increasing until they would at last very much outnumber the Lower House. That was a difficulty which ought to have been provided against long since; but, failing such provision, there was an advantage in bulk; that it hindered the power of swamping. It would be very easy to swamp a Council of twenty members, but when they had a Council of fifty members, they would have probably to add fifty-one to the number. Although the Government had always a certain proportion of supporters in the Upper House, the moment an attempt was made to swamp it, it would probably be resented; the whole Council would probably turn against those who would desire to swamp it, and therefore the swampers would have to put in an equal number, and one more to make a majority. Of course, that would bring the whole affair to an absurdity. He hoped the Government would interfere before next session in the direction of making some constitutional change.

Mr. McINDOE desired, with the leave of the House, to withdraw the motion. He was well aware of the difficulties with which the consideration of the question would be met. He had no intention of reflecting in the slightest degree upon the Upper House, as he was aware that they often brought calmer deliberation and attention to bear upon questions brought before them, than was sometimes given in this House. He did not reflect on Ministers having the power to call members to the Council, as it was absolutely necessary that they should have such a power. He would not detain the House with any further remarks, but would ask leave to withdraw the motion.

Motion withdrawn.

OTAGO LOAN.

Mr. MACANDREW moved that this House resolve itself into a Committee of the whole, for the purpose of considering that a respectful address be presented to His Excellency the Governor, requesting him to recommend this House to make provision for the appropriation of the sum of £650,000, in accordance with a resolution of the Provincial Council of Otago.

Mr. VOGEL said that this question had received the anxious consideration of the Cabinet, and he thought it his duty to make known the decision arrived at. He did not deny his belief

that the circumstances of the Colony were such as to make it desirable that public works should be constructed, and that, in order to construct them, money must be borrowed. He did not, however, lose sight of the fact that the Government, acting entirely under that conviction, had brought down to the House their proposals to construct public works throughout the Colony. The very essence of those proposals was, that regulations should be laid down under which public works should be constructed; that the Colony should give security for the construction of those works; and that they should not be confined to any particular part of the Colony. He did not think the proposal of the honorable member was compatible with the scheme brought down by the Government and accepted by the House. He was desirous that the honorable member should have the utmost latitude to discuss the question, and he would not object to the House going into a discussion of some of the works proposed to be undertaken by the honorable gentleman, and notably the first three, which were works which would come under the provisions of the policy of the Government. He believed the honorable member would find that, under the Government measures, he would have those works attended to efficiently, rapidly, and economically, and it would not be in the least humiliating to the provincial authorities or to the Province which he represented if the resolution were rejected. Of all the Provinces there could not be one which had a larger claim for a vote of money for public works than Otago. There was no Province which could offer better security, nor was there any which had more sincerely at heart the progress of settlement. There might be other Provinces of which as much might be said; certainly there was no Province which was entitled to more consideration in that respect. But the question they had had to consider all this session was, whether there should not be some self-sacrifice on the part of the more wealthy Provinces in favour of those Provinces which were not so fortunately situated? Were the wealthy Provinces to stand aloof and see the smaller and less wealthy ones starve, or were they not rather to endeavour to aid the progress of other parts of the Colony, and, by making them participate in the large works about to be undertaken by the Government, promote the general prosperity of the whole Colony. Otago had given up, in favour of the Government measures, the charge of constructing its railway. That had not been disguised from the House, for the honorable member for Clutha, in speaking on the Public Works and Immigration Bill, had not spoken from his own personal point of view—for he entertained strong views in reference to the independent operation of Provincial Governments—but, by sacrificing his own views to those of the General Government, he had pursued a course which was eminently deserving of being considered as a patriotic and an unselfish course. The honorable member had carried that feeling so far as to admit that the local feeling in favour of provincial works should not be allowed to interfere with colonial public

works. On the other hand, the Government would never use the power placed in their hands by the Act as a means of curtailing provincial authority. He believed, if the honorable member had not been under that conviction, he would not have supported the policy of the Government. He believed the honorable member was entirely of the opinion that the Government proposed these measures in perfect sincerity, believing them to be eminently fitted for the advancement of the country; and that nothing was further from their intention than to use them for the purpose of curtailing the power of provincial institutions. Having adopted the principle that the whole of the Provinces should unite for the purpose of promoting settlement in different parts of the Colony, it would be inconsistent to go back from that position and to say that one particular Province should use its borrowing power in such a way as would lessen the credit of the whole by dividing up the borrowing power. He was sorry that it was his duty to object to this proposition on the part of the Province of Otago, more particularly because he had on former occasions, as Treasurer of that Province, come up charged with the task of endeavouring to persuade the House to allow the Province to borrow money for most of the purposes indicated in the resolution; but now, as a member of the Government, in consideration of the large works they proposed to be carried on throughout the Colony, he felt it his duty not to assent to the resolution. He trusted that the honorable member would not seek to carry his resolution, feeling assured that, within two or three years, when he came to look back upon it, the honorable member would not regret that the responsibility of undertaking those works had been shared by the Colonial Government instead of being left entirely to the Provincial Government, as the resolution indicated.

Mr. MACANDREW felt himself placed in a somewhat false position in reference to this matter, for had he anticipated that the debate would have taken the course it had taken he should have stated his reasons very fully for asking the House to go into Committee, but, from the observations which had fallen from the Colonial Treasurer, there seemed to be very little hope of his being able to carry the resolutions. However, he thought, in spite of the eloquence of the Colonial Treasurer, that he should be able to induce the House to adopt them. He did not think he would be justified in relinquishing them without stating his reasons for having brought them forward. He trusted that there were many members of this House prepared, without interfering with the policy of the Government, to consider questions which were not included in that policy. There were several objects aimed at in these resolutions which were not included in, or in any way dealt with by, the proposed Ministerial policy. The resolution of which he had given notice very fully explained itself. He did not know that anything he could say would make the matter much clearer to the House, especially as he was not one of those who were given

to use a multiplicity of words for the mere sake of speaking. The matter stood thus: the people of Otago were desirous of carrying on certain works which were absolutely necessary to develop the resources of that part of the country, and which it was utterly impossible for them to carry on out of the current revenue. He might say that these works were very much for the benefit of posterity, and he thought it was only right and proper that posterity should be called upon to pay for them. If these works were to be gone on with at all, they must be a charge upon the future; it was utterly impossible to provide for them out of the present. He would desire to point out to the House that, in asking it to assent to this proposal, he was not asking the Colony to take upon itself any share of the burden which would be involved if the resolution were carried. He was not asking the Colony to run any risk whatever. He wished the House to understand that it was entirely owing to the action of the Colony that the Province of Otago came here at all in the position of a suppliant to be enabled to do what they chose with their own. But for the action of the Colonial Legislature in 1867, he might say that the Province of Otago was in quite as good a position—perhaps in a better position—to borrow the money on equally good terms as the Colony itself. He knew it was said that the Province of Otago had a very large revenue, and why not fall back upon that in order to carry out the objects of the resolution? He admitted that the Province had a pretty fair revenue, and he believed the amount of that revenue was not likely to decrease; on the contrary, it was likely largely to increase from year to year. The revenue of the Province for the current year, from all sources, was estimated at something like £330,000 in round numbers; of that amount about one-sixth was set apart as a first charge in order to meet the interest and sinking fund of the provincial loans, which amounted to £51,000. If the House would bear with him, he would just like to explain how that large revenue of £330,000 was being appropriated, to show the reason why they could not avail themselves of any portion of it in order to carry out the works specified in his resolution. After deducting £51,000 to meet the interest and sinking fund on the provincial loans, or nearly one-sixth of the whole revenue of the Province, the rest was appropriated as follows:—For the police and escort service, £18,400; for harbour, pilots, beacons, &c., £5,260; for gaol establishments, £10,000; for education, £21,750; for hospitals and lunatic asylum establishments, £10,000; for industrial schools, £1,300; for the survey department, £16,400—that might seem a very large item, but it must be borne in mind that the surveys in the Province of Otago had been completely made, and were equal to those of any part of the world; for the gold fields, the wardens, and the mining survey department, £11,000; for the department of roads and works, £3,200; grants in aid of outlying districts, such as country hospitals, country municipalities, dis-

trict road boards, &c., these amounted to £25,000; then there were miscellaneous items, including allowances to volunteers, encouragement to Native industries, retiring allowances to officers of the Government, acclimatization, and a variety of useful objects, amounting altogether to £19,000; the main roads of the Province were set down this year at £70,000; then there were school houses and other buildings, £14,300; bridges, £4,000; wharves and jetties, £9,000; immigration and the expenses of the home agency, £14,000; then there were other miscellaneous items, such as coastal and river steam service, sheep and cattle inspection, collection of tolls and jetty dues, £22,000; then last, and not least, the expenses of the Executive and the Legislature, about which a great deal had been said—and that was the only item that could be dispensed with if the Provincial Executive and Legislature were abolished, and nothing substituted in their place—that item amounted to £8,000, nearly the half of which was the cost of the Provincial Council. It would be seen from what he had said that, after providing for the necessary purposes to which he had referred, nothing was left towards carrying on any of the large works to which the resolution pointed. It would be apparent, from these figures, that while the Province was not in a position to go into the proposed expenditure of £650,000 out of its ordinary revenue, it was quite able so to regulate its expenditure as to pay the interest on the proposed loan, even assuming that the objects towards which this £650,000 was to be appropriated should not turn out to be altogether reproductive—an assumption which he for one did not for a moment admit. The interest on the proposed loan would amount to about £35,000 a year, more than half of which they would save in the maintenance of the road between Dunedin and Clutha. It was not only proposed to make that an annual charge upon the ordinary revenue of the Province, but the Provincial Council had agreed to set aside, by way of collateral security for such payment, three millions of acres of land, at present realizing a rental of £32,000 a year. He knew it might be said that they were tying up this land as against settlement; he assured the House, however, that such would not be the case. When it was borne in mind that the land proposed to be set aside as collateral security was purely pastoral land, and not likely to be required for the purpose of settlement for many years to come, he thought the objection would have very little weight in the estimation of that House. Moreover, the Provincial Council, in passing the resolutions in favour of this loan, had inserted a proviso which bore out the truth of his assertion with regard to the land being tied up as against actual settlement. The second resolution was to this effect:—

“That in the opinion of this Council provision should be made in the Act authorizing the loan, to the effect that whenever £25,000 of the loan shall be extinguished by payments, then that 115,385 acres of the land upon which the loan shall be secured, or any quantity not exceeding

that extent of acreage, may, on the application of the Superintendent, be released from the charge upon the same, and so on from time to time, when and so often as an amount equal to £25,000 shall be extinguished by payments, that 115,385 additional acres of the said land may be so released as aforesaid, and that, upon any such land being so released, the same shall become available for sale and purchase under the provisions of the land laws of the Province of Otago for the then time being.”

He would wish to draw the attention of the House, even though he trespassed for a short time on its patience, to the objects sought to be attained by the proposed loan. In the first place, they asked for £50,000 for immigration, to be extended over a period of three years. That was to be supplemented by an annual vote out of revenue. It was proposed to expend double that amount in the three years. There was no doubt that the expenditure of that amount would be highly reproductive, both to the Province and to the Colony. There was no expenditure upon which they could enter that would be more beneficial or more reproductive. There was no liability connected with it. Although the Government proposal provided for immigration, they would still prefer to have the immigration in their own hands, as they had half the amount under their own control. Next there was £400,000 for southern trunk railway. There was no necessity, however, for them to avail themselves of the power to borrow that sum, even if the House were disposed to grant it, because advices had been received from the contractors for the construction of the railway between Launceston and Hobart Town, offering to construct this railway for a guarantee of 6 per cent. per annum, the Province to have power to acquire possession of the railway after five years. He believed that that work could be carried out, under provincial powers, without reference to the General Assembly. The Province had power to carry out that railway by means of a public company. They might, therefore, look upon that sum of £400,000 as diminishing by so much the sum of £650,000 proposed to be borrowed. The next item was the water supply to the gold fields, £100,000. The Government proposal provided to a certain extent for that; but he did not know what proportion of the Government amount was to be made applicable to the Province of Otago. The Provincial Council were of opinion that £100,000 might be profitably employed in that direction within the next twelve months. There was no part of the proposal that would recoup itself more quickly than that sum. The next object could not be called reproductive—the item for the embankment of rivers, £50,000. He wished to call the attention of the House to what was meant by that—some of the most fertile portions of the Province of Otago, such as the plains of the Taieri and the island of Inch Clutha, were in great danger of being totally destroyed by floods, and unless something was done to protect those large tracts of agricultural country from inundations,

the loss to the Province and to individuals was almost incalculable. The Provincial Council, in agreeing to expend £50,000 on the embankment of rivers, were quite aware that it would take four or five times that amount to remedy the evil effectually. That amount would be granted by way of supplement to the efforts of the owners of private property concerned. There was no provision for this in the Government proposals; and that was one reason why he asked the House to agree to the resolution. The next works—the Oamaru harbour works—were fully referred to last session, when the House agreed to allow the Province to raise the sum of £50,000 to be appropriated for harbour works, of which £20,000 was to be devoted towards this object. There were stronger reasons at the present time for the House agreeing to that proposal than existed last year, inasmuch as further engineering advice had been obtained on the subject; and, although some persons who knew nothing about the matter affected to laugh at the idea, judging from the reports of scientific and practical men that object was not only practicable, but, if carried out, would be eminently reproductive. There was not a finer district in the Colony than the northern part of the district of Otago, and, even if a great trunk railway were made, a harbour at Oamaru was absolutely essential. He might state that £20,000 were to be devoted to this work out of current revenue, and unless the amount was supplemented to an equal extent out of loan, the work must be prolonged for many years more than it ought to be: the initiative had already been taken, and the Province was bound to see it carried through if the work could be done for the money. The next items were Waikouaiti, £8,000; Kakanui, £6,000; Waitaki bridge, £10,000; and Shag River bridge, which was a very important work, and which, he was sorry to say, they could not accomplish out of the ordinary revenue at their disposal. He had just learned that a life was recently lost at the very place where it was proposed to put the bridge. The Lower Mataura bridge was another very important work which was urgently required. These two bridges would cost about £6,000. Although £560,000 of the whole amount was included in the Government proposals, he thought that the other objects, requiring for their accomplishment £90,000, were equally as important to the interest of the Province of Otago as those professed to be effected by the General Government loan to the extent of £560,000. He trusted that he had succeeded in making it plain that the Province had ample means whereby to indemnify the Colony against any possible loss or risk in respect of this loan. He might make it still more clear by showing the extent to which the public assets of the Province exceeded its liabilities. He believed that, after allowing an ample margin, the assets of the Province might be estimated at about four millions sterling after providing for its loan liabilities. That was the security which they had to offer over and above their annual revenue. He knew perfectly well that there were honorable members in the

House who were determined to set their faces against provincial loans; in fact, to set their faces indiscriminately against such loans, without reference either to the power or the right of any Province to borrow. He ventured to hope however, although he was afraid it was hoping against hope, that that doctrine was confined exclusively to what he might call the political fossils of the House. He hoped that none of those who had the slightest progressive tendencies would countenance that doctrine for a moment. What he maintained was, that any Province which came forward with equal claims to those of Otago had a perfect right to receive consideration at the hands of the House, not as a matter of favour, but as a matter of right. He should regret very much if the policy of the Government would have the effect of shelving any of those great undertakings for which he sought this loan. He would like to know from the Colonial Treasurer whether or not the Government would agree to recognize those works by reducing the amount to £90,000, instead of £650,000. He would be content to take the decision of the House upon his motion on the voices. He regretted very much that, as he was replying, other honorable members would be precluded from speaking. Had it been otherwise, he felt assured that there were many honorable members who would have supported the views which he had endeavoured to bring forward, and probably have urged them with far more ability than he had done.

Question put, "That the motion be agreed to," upon which a division was called, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	26

Majority against 8

AYES.

Mr. Barff,	Mr. McGillivray,
Mr. Borlase,	Mr. McIndoe,
Mr. Bradshaw,	Mr. Mervyn,
Mr. Brown,	Mr. O'Neill,
Mr. Bunney,	Mr. Williamson,
Mr. Carrington,	Mr. W. Wood.

Tellers.

Mr. Driver,	Mr. Birch,
Mr. H. S. Harrison,	Mr. Macandrew.
Mr. W. H. Harrison,	
Mr. Main,	

NOES.

Mr. Armstrong,	Mr. Richmond,
Mr. Baigent,	Mr. Rolleston,
Mr. Clark,	Mr. Stafford,
Mr. Collins,	Mr. Stevens,
Mr. Creighton,	Mr. Studholme,
Mr. Curtis,	Mr. Swan,
Mr. Dignan,	Mr. Tancred,
Mr. Hall,	Mr. Taylor,
Mr. Jollie,	Mr. Vogel,
Mr. Ludlam,	Mr. Wells.

Tellers.

Mr. McLean,	Mr. Carleton,
Mr. Moorhouse,	Mr. J. C. Wilson, C.B.
Mr. Parker,	
Mr. Peacock,	

The motion was consequently negatived.

PETITION OF EDMUND HYNES.

Mr. CARLETON, in moving the motion standing in his name, said that the Public Petitions Committee had considered the petition of Edmund Hynes, and had not recommended it to the favourable consideration of the House. He had not thought it right to refer the petition to another Committee, a course which had been pursued in another case, because he objected to one Committee sitting in judgment upon the report of another. He would state, in a few words, why he was not content with the report of the Public Petitions Committee. It appeared to him that they had missed the very point which it was the desire of the petitioner that they should investigate. Of course, he was quite aware of the large amount of business which came before that Committee, and the necessity for expedition, and, upon the whole, he was sure that no person in the House bore testimony more cheerfully than he did to the general efficiency of that Committee. The Committee reported as follows:—

“The petitioner claims compensation for having been deprived of his cottage, his acre of freehold land, and ten acres under right of pre-emption, to which he is entitled as an enrolled pensioner under Royal warrant. He also complains that he was unjustly dismissed from the pensioner force.”

“The Committee have examined Colonel Haultain. That officer states that about the year 1852 the petitioner was dismissed from the force for repeated acts of gross insubordination; that the loss of cottage and other rights followed that dismissal, and that the deduction from his pension of a certain amount of the passage money of his family, in proportion to the number of years of unfulfilled service in the Pensioner Force was, authorized by the Secretary of State for War.

“I am directed to report that the petition is in order in one respect, namely, that in presentation it received the recommendation of the Crown; that it is out of order, inasmuch as it has not been signed by the member who presented it, viz., the member for Parnell; and that the petitioner has no claim whatever to the favourable consideration of the House.”

The Committee gave no notice to the honorable member for Parnell, who presented the petition, of the time of their taking it into consideration. Had they given notice, that honorable member would, very probably, have referred them to him (Mr. Carleton) to give them some accurate information on the point. The real question was, whether the petitioner was ever dismissed at all; and that appeared not to have been considered by the Petitions Committee, but the dismissal appears to have been accepted as a matter of course. He would tell the House how the particulars of the case came under his knowledge. He happened to be the Chairman of the Petitions Committee of the Provincial Council of Auckland, and the case had been already investigated by him. The difficulty in the matter was that he had no power, as Chairman of the Committee, to summon two important witnesses—Colonel Haultain and Colonel Kenny—without whose evidence the case could not be decided. These two gentlemen being mem-

bers of the Colonial Legislature, the Provincial Council had no power to summon them, and it was in order that their evidence might be taken that the petition was referred to the House. The Chairman of the Petitions Committee had power to summon them, and he did summon Colonel Haultain, but he did not know what to ask him. He thought that the report of the Petitions Committee of the Provincial Council, which was drawn up by himself, would put the case in fewer words than he could put it in speaking of it. The report was as follows:—

“Petitioner held the rank of sergeant in the Pensioners Corps, from which he was dismissed for writing a petition to the Governor, which, however, appears to have been stopped *in transitu*, and therefore never presented. By this dismissal his right to a cottage and acre was forfeited, also his right of pre-emption over ten acres of land. Many other pensioners, mainly on account of absence from parade, through sickness, though with medical certificate to that effect, were also dismissed. They petitioned the General Assembly, and the Select Committee, to whom their petition was referred, reported in general terms in their favour.

“In 1858 the Compensation Act was enacted by the Provincial Legislature. By this Act the Superintendent was empowered to authorize the Provincial Treasurer to pay to certain persons, of whom petitioner was one, the sum of £50 each under certain conditions, for the purchase of compensation land, and the said sum was paid to petitioner accordingly.

“Petitioner complains that the Superintendent at first awarded 100 acres of land, with the right of selection, by way of compensation, but afterwards commuted that award to £50 land scrip, thus compelling him to compete with capitalists in exercising the scrip. He did buy a pensioner's cottage and acre with the scrip, and £4 extra cash, which he paid. He also complained that he has received no compensation for the ten acres pre-emption land. It appears that he put in a claim before Mr. Commissioner O'Brien, under ‘The Pensioners Claims Act, 1861,’ of the Assembly; but that claim was rejected under section 7 of the before-cited Act, which is as follows:—

“‘Provided always that no pensioner or representative of any pensioner who may have been dismissed from the said force by competent authority, or who may have ceased to reside in the Province of Auckland, shall be entitled to any benefit or advantage under this Act.’

“Whereupon the question arises, ‘was petitioner dismissed by competent authority?’

“In the report of the Select Committee of the House of Representatives already mentioned is the following paragraph:—

“‘Your Committee can recognize no condition with the men, excepting those under which they were actually enrolled.’

“But one of these conditions is as follows:—

“‘Every pensioner enrolled in this force will, during the continuance of the seven years for which he is engaged, be subject to the provisions of the Mutiny Act and Articles of War. But all

minor offences may be punished by such fines, or by expulsion from the force, as the Governor of the Colony for the time being may direct; in which case the offender may be deprived of his cottage and allotments.'

"Petitioner alleges that his dismissal from the pensioner force was notified to him on parade by Captain Haultain, and that on his (petitioner) asking Captain Kenny, on the following day, whether he had sanctioned this dismissal, Captain Kenny replied, 'I did.'

"It is evidently possible that the dismissal may have been directed by the Governor; and petitioner, on being asked to show the Committee that the Governor had not given such direction, was unable to prove a negative. But there is no reason to suppose that the Governor did so, or that there was any authority for the dismissal beyond that of a pensioner officer, who does not appear to be a competent authority.

"Further inquiry on this point was hindered by the inability of the Committee to summon before them, under 'The Privileges Act, 1856,' either Colonel Kenny or Colonel Haultain; both those gentlemen being members of the General Assembly.

"The question remains whether petitioner's claim is barred by section 7 of 'The Pensioners Claims Act, 1861.'

"The Committee have the honor to report that, in regard to the first alleged grievance, namely, that an award of 100 acres of land, with right of selection, was commuted to £50 land scrip, petitioner appears to have misunderstood the law. He based his grievance on the Scrip Bill of 1858, which never became law, and not on 'The Compensation Act, 1858,' which was substituted. In giving evidence before the Committee, he did not press this portion of his claim.

"But the Committee consider the claim to compensation for the loss of the pre-emptive land to be one of much difficulty. The Committee are under a strong impression that the dismissal of petitioner was not by 'competent authority,' yet have not had the means of obtaining proof. Had such proof been afforded, the Committee would have recommended that an endeavour be made, in the Assembly, to obtain power for the Superintendent to satisfy the claim, notwithstanding that, in strict legality, it is barred by Mr. Commissioner O'Brien's rejection of the claim. The Commissioner appears to have assumed that the dismissal was by competent authority.

"The Committee take occasion to observe that the course of petitioning the General Assembly, where there is power to obtain more conclusive evidence, is still open to petitioner; but the Committee, in the present state of the case, do not feel justified in making any recommendation to the Council."

It appeared from that that the appeal to the House was upon the recommendation of a Committee of the Provincial Council, in order that evidence might be obtained which they had not the power to obtain. Now, he made the motion for referring the petition back again to the Public Petitions Committee in order that the Committee

might ascertain whether the dismissal took place by order of the Governor. It was perfectly clear the Governor had no power to delegate his authority, and, from the evidence they were able to get, the Committee of the Provincial Council were under the impression that the Governor's authority had not been obtained, and that the dismissal was by the authority of a pensioner officer. He would be content if the Petitions Committee would even report the evidence, because that evidence might enable the Provincial Council to deal with the matter.

Motion made, and question proposed, "That the report of the Petitions Committee, upon the petition of Edmund Hynes, be referred to that Committee for reconsideration."—(Mr. Carleton.)

Mr. CRACROFT WILSON, C.B., said the honorable gentleman had stated that the dismissal was not inquired into by the Petitions Committee; in fact, that the point upon which the petition had been referred to them had not been considered by them. The honorable gentleman also stated that the Provincial Council of Auckland had failed to elicit the whole merits of the case because the Committee of the Council could not summon Colonel Haultain and Colonel Kenny. When the petition came before the Public Petitions Committee, the first person sent for was Colonel Haultain, who stated that the petitioner had been dismissed, and that the Governor had sanctioned the dismissal, and upon that evidence the Public Petitions Committee founded the report that he was not entitled to compensation. A despatch had arrived from Downing Street by the last mail, dated 14th June, and there was a letter from the Secretary of State for War on the subject, which, with the permission of the House, he would read:—

"War Office, 9th June, 1870.

"SIR,—With reference to your letter, dated 31st ultimo, I am directed by the Secretary of State for War to acquaint you, for the information of Earl Granville, that the man named in the margin (E. Hynes) was dismissed from the New Zealand Fencibles for repeated acts of misconduct, and that his request that the amount stopped from his pension to cover the cost of the passage of himself and family to Auckland may be refunded to him, cannot be entertained. I am to add that, under the regulations, all pensioners who failed to fulfil the conditions of service under which they were sent out to New Zealand, were subjected to deductions from their pensions in proportion to the period of incomplete service at the time of their discharge from the force; and that this pensioner has already been informed, in answer to his application to this office, that he could not be relieved from the regulated stoppage of his pension. I have, &c.,—NORTHBROOK."

That letter seemed to confirm the conclusion at which the Committee had arrived. He thought the honorable member was in error when he stated the Committee did not make inquiries upon that point.

Colonel HAULTAIN.—The honorable member for the Bay of Islands had stated that the case in question had already been investigated by him,

and had read a report of the Petitions Committee of the Provincial Council, which was drawn up by that gentleman himself. He could inform the honorable member that he was altogether abroad with reference to all the circumstances of the case. The Committee of the Provincial Council were really not able to investigate the case because they could only take the *ex parte* statement of the individual himself who was punished; they were not able to obtain the evidence of the officers belonging to the force, not because they were members of the Colonial Legislature, but because they were Imperial officers, who could not, consistently with their duty to the authorities at home, go before a Committee of the Provincial Council, which was not recognized in any way by the Imperial authorities, and give evidence with reference to matters with which, in reality, they had no concern whatever. The fact was, it happened, at that particular time, that the pensioner force had a good deal of political influence, and persons who brought forward these cases in the Provincial Council thought that they were ingratiating themselves with some of the pensioners by endeavouring to remedy what they chose to consider as grievances.

Mr. CARLETON.—At what time?

Colonel HAULTAIN.—In 1852.

Mr. CARLETON.—The report of the Committee of the Provincial Council is dated this year.

Colonel HAULTAIN was not aware that the case had been again brought up this year. The £50 alluded to by the honorable gentleman was not given this year; it was given a great many years ago, in the year which he had already named. The fact of the matter was, the petitioner was dismissed for repeated acts of insubordination, and not, as the honorable gentleman had stated, for writing a petition to the Governor: that had nothing to do with his dismissal. He was not dismissed by officers of the pensioner force, but on the authority of the Governor, which was subsequently approved of by the Secretary of State for War. There never had been a man belonging to that force who was more properly discharged than was that very same individual. A great deal of consideration had been shown to him, owing to his having been an old soldier and a respectable and sober man, and he was allowed to escape the punishment which he on more than one occasion afterwards brought upon himself. One of the conditions required of a pensioner before he became entitled, at the conclusion of his time, to a cottage and acre of land, was that he should receive a certificate of good conduct. This man had never completed his service, nor was he, before he left England, entitled to any pre-emption land; that was an indulgence granted subsequent to the arrival of the pensioners in this country. He had got from the Provincial Council the sum of £50, as compensation for the forfeiture of his cottage, &c., one of the most extraordinary proceedings he had ever heard of. The Provincial Council had stepped in and interfered between the authorities and the man who had transgressed the rules and regulations of the

service, and had, on an *ex parte* statement, granted him compensation for the punishment inflicted upon him.

Mr. McLEAN said that the only course the Government could take was to abide by the report of the Committee. From what had been said by the previous speaker, he did not think that the subject deserved reconsideration. He hoped the House would discharge the order from the paper.

Mr. CARLETON said that he had brought the subject forward to obtain a certain piece of evidence which he could not gather from the report of the Committee. That piece of evidence had been supplied, and he was satisfied. It was as to whether the man had been dismissed by the authority of the Governor or not. It did appear that he had been dismissed by the authority of the Governor, but that had been shown by means other than the report of the Petitions Committee. Although the honorable member took exception to the Provincial Council interfering between the men of the pensioner force and their officers, he appeared to have forgotten that the General Assembly did so in 1856, when the report of the House was such as to cause the Provincial Council to take action in the matter. Having no further object to attain, he begged leave of the House to withdraw the motion.

Motion withdrawn.

FORMS AND PROCEEDINGS.

Mr. McLEAN, in the absence of Mr. Fox, moved that the report of the Forms and Standing Orders Committee (No. 3) be adopted.

Mr. STAFFORD said that the report of the Committee involved some very important alterations in the Standing Orders, and, having regard to the memorandum on the subject which had been placed upon the table by the Speaker, he thought the report should be referred back to the Committee for re-consideration. He did not think that the rights of private individuals were sufficiently guarded by the machinery it was proposed to substitute for that which had been in practice for some years. In carrying out large works which required interference with private property, care should be taken that ample notice was given to the owner where property was to be taken away. Many owners were absentee proprietors, and he confessed that he had not much sympathy for such, as they avoided all taxation in the country, while they derived very considerable profit from their estates. Still, the House should not adopt a course of action which would have the effect of discouraging the investment of capital in this country, by rendering such investments precarious. It would amount to confiscation if, without proper notice, lands were taken from private individuals. He would prefer seeing a larger amount of protection given; such as had been proposed in the memorandum laid on the table. He would move, as an amendment, that the report be referred back to the Select Committee, with special reference to the memorandum which had been laid on the table of the House by Mr. Speaker.

Mr. CARLETON said that he could not agree with the Standing Orders proposed. Having had as much experience as any member, perhaps, in the House, he thought he was justified in coming to that conclusion.

Mr. O'RORKE regretted that he had not seen the memorandum alluded to by the honorable member for Timaru, but he thought that the course that honorable member had suggested would be idle. There was no lack of protection of private property under the Government scheme for carrying on large public works. He would find, by the Immigration and Public Works Act, that in its provisions, which would override the Standing Orders in regard to private Bills, there was care taken to protect the rights of private individuals. Clause 65 was as follows:—

"All persons being owners of, or having any lesser estate or interest in any lands taken, occupied, or used under the authority of this part of this Act, or which may be damaged by the construction of any such railway, shall be entitled to receive compensation for such land, occupation, use, or damage, the amount whereof shall be ascertained in the manner set forth in 'The Lands Clauses Consolidation Act, 1863,' which, and all Acts amending the same, are hereby incorporated in this part of this Act."

That Act distinctly stated that the condition attached to taking land compulsorily was that notice should be given. The Land Clauses Consolidation Act of 1863 required that personal notice should be given, and seeing that the law of the land compelled that to be done, he agreed with the report of the Select Committee, that they should not, in the report, have insisted upon personal service. That was carried even further by the Immigration and Public Works Act than by the present orders. He believed that the real effect of the clause would be to make the Government smart for tampering with private property. There was as ample protection contained in the Bill as in any Standing Order that could be adopted by the House. He would suggest, with a view to simplifying the Standing Orders, to pass the proposed orders, and to send them before the Legislative Council, and if they did not agree with them, a Joint Committee might be appointed to consider them. Personally, he was not concerned in the matter. His desire was merely to see the Standing Orders simplified.

Mr. BUNNY said that the object of the Committee had been to simplify the Standing Orders of the House, which too frequently were an obstruction in the way of private Bills. He might state that, of the seventeen Standing Orders proposed, twelve were those which had been adopted in Queensland and New South Wales. To those, five others had been added, so as to give more protection to private individuals. The Standing Orders had been in use for ten years in Queensland and New South Wales, and if they had been defective, or had been found not to work satisfactorily, they would have been amended. He had not seen the memorandum laid on the table, and he would not oppose the amendment referring the report back to the Committee.

Mr. HALL agreed that it was desirable the Committee should reconsider their report, as it might probably be modified by the light thrown upon the subject by the memorandum of Mr. Speaker. He was in favour of simplifying the Standing Orders in reference to private Bills, but he was afraid that the Committee had gone too far in some respects, and he thought it would be better to accept the amendment of the honorable member for Timaru, and refer the matter back to the Committee.

Mr. McLEAN said that there was no objection to adopt the course proposed by the honorable member for Timaru, but he wished that some early date should be given when the report should be brought up.

Mr. STAFFORD said he would name Thursday next.

Amendment agreed to.

KAIAPOI NATIVE INDUSTRIAL GRANT BILL.

Mr. McLEAN, in moving the resolution standing in his name, stated that the object of it was to enable the Government to accept a surrender of the grant of certain lands at Kaiapoi, in the Province of Canterbury. A schoolhouse for the Natives had been erected on the reserve, which had been recently burned down. This land was originally devoted to religious and educational purposes in connection with the Natives. It was now proposed that four acres should be set apart as a site for the schoolhouse, to replace the one that was burnt, and that the remaining portion, about sixteen acres, should be used as glebe lands in connection with the Church of England. The Bishop of Christchurch had agreed to the arrangement, by which the original purposes of the grant would be carried out. He therefore begged to move for leave to introduce a Bill intitled "An Act to enable the Governor to accept a surrender of the grant of certain land at Kaiapoi, in the Province of Canterbury, made under 'The Native Reserves Act, 1856,' upon trust for an industrial school, and to authorize grants to be made of such lands upon other trusts."

Leave was granted. The Bill was brought in read a first time, ordered to be printed, and the second reading fixed for Thursday.

PUBLIC REVENUES BILL.

Mr. McLEAN, in the absence of Mr. VOGEL, moved for leave to introduce a Bill to amend the Public Revenues Act.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Thursday.

MILITIA AND VOLUNTEER RETURNS.

Mr. BUNNY, in the absence of Mr. HAUGHTON, moved that the last annual reports of the officers commanding Volunteer and Militia districts, and the musketry returns for the last year, be laid upon the table.

Mr. McLEAN said he had communicated with the honorable member in whose name the motion

appeared on the paper, and he had expressed himself willing to withdraw the motion, having been satisfied with the information he had obtained.

Colonel HAULTAIN said he believed that the principal object which the honorable member had in bringing the subject forward, was to bring under the notice of the Government the qualifications of the adjutant of Militia and Volunteers of the Province of Otago, in the hope of their doing something for him in the way of either promotion or additional salary. He concluded that the honorable member had stated that to the Defence Minister. He was happy to be able to bear his testimony to the exceeding zeal and high qualifications of that officer. He was certain that there was no officer connected with the Militia and Volunteer service that deserved promotion more than he did.

Mr. McLEAN was quite prepared to recognize what had been said in reference to the officer in question. He was an exceedingly valuable officer, and was perhaps one of the best adjutants in the service of the Colony. The Government were fully prepared to recognize his services, and recognized whatever he might deserve in the way of promotion.

Motion withdrawn.

VOLUNTEER BILL.

Mr. McLEAN moved for leave to bring in a Bill intituled "The Volunteers Act Amendment Act, 1870," which was introduced in compliance with the wishes of the Select Committee.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Thursday.

CASE OF JAMES WITTY.

Mr. ORMOND moved, That the House resolve itself into a Committee of the whole, for the purpose of considering a respectful address to His Excellency the Governor, requesting him to recommend provision to be made to give effect to the report of the Petitions Committee in the case of James Witty.

Agreed to.

The House went into Committee of the whole, and, on the motion of Mr. ORMOND, adopted a resolution giving effect to the recommendation of the Committee on this case, which was reported, read a second time, and agreed to.

GEORGE GREEN LAND CLAIMS BILL.

Mr. McLEAN, on behalf of Mr. Fox, moved that leave be given to bring in a Bill to give effect to the award of the Secretary of Crown Lands in the matter of George Green.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for Wednesday.

NATIVE LANDS BILL.

Mr. McLEAN moved, For leave to introduce a Bill intituled "An Act to extend the time within which rehearings of claims under 'The Native Lands Act, 1865,' may be granted."

Leave was granted. The Bill was brought in,

read a first time, ordered to be printed, and the second reading fixed for Friday.

The House adjourned at five minutes past five o'clock p.m.

LEGISLATIVE COUNCIL.

Tuesday, 30th August, 1870.

Payment of Common Jurors Bill—Supreme Court Bill—Immigration and Public Works Bill—Wairarapa Town Lands Management Bill—Messages from the House of Representatives—Public Trustee Bill—Gold Fields Bill—Post Office Bill (No. 2)—Otago Hundreds Bill—Harbour Boards Bill—Submarine Electric Telegraph Bill—Militia Bill—University Bill—Representation Bill—Wairau Valley Road Reservation Bill—Town of Gisborne Land Sales Validation Bill—Married Women's Property Protection Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PAYMENT OF COMMON JURORS BILL.

The Hon. Mr. SEWELL brought up the report of the managers appointed to conduct the conference with the House of Representatives upon the amendments made in this Bill.

The report was agreed to, and a message to that effect was ordered to be transmitted to the House of Representatives.

SUPREME COURT BILL.

The Hon. Mr. SEWELL, in moving for leave to introduce a Bill to amend "The Supreme Court Act, 1860," said that its object was merely to remedy a defect which had been found to exist in the Act which regulated the proceedings of the Supreme Court, and to enable the judges to try persons for offences which might have been committed outside of their jurisdiction. The Bill was of a purely technical nature, and consisted of only one clause.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

IMMIGRATION AND PUBLIC WORKS BILL.

ADJOURNED DEBATE.

The Hon. Mr. WIGLEY said that it was with very great diffidence that he rose to make a few remarks upon this important measure. He might say that, as a young member, he had not felt himself sufficiently acquainted with political matters to act entirely upon his own personal convictions, and therefore he had come to the conclusion that he would listen to the remarks of older and more experienced members, and be guided to some extent by their opinions. His own convictions were that this measure would be most advantageous in promoting the prosperity of the country. It would tend to develop our resources and increase our exports; it would conduce to the increase of our population, and in all these ways would add to the general prosperity of the

whole Colony. The only difficulty which presented itself to his mind was with respect to the administration of the powers given by the Bill, and he thought he was borne out in that view by nearly all honorable members who had preceded him. All the various difficulties in connection with the scheme appeared to centre round the one difficulty of administering its various details, because there was a great danger that local influence might be brought to bear upon the Government which they could not resist, so that the money might be expended in a manner which would not be beneficial and remunerative to the country. That danger might, however, be prevented by the imposition of proper restrictions. He should be very sorry to see the Bill loosely passed through the Council. If such a course were taken, they would be following the example of the skipper of a Mississippi steamboat, who heaped coals upon the fires, and fastened down the safety-valve, with the exclamation, "Let her rip!" The duty of the Council would be to act in an entirely opposite direction; to be a check and a judicious brake upon this scheme. It was for the Council to pilot it into the stream of prosperity and success, and he believed that that could be done effectually if they devoted their minds to it. He had listened with great attention to the remarks of his honorable friend Mr. Waterhouse, and he had so much confidence in the legislative experience of that honorable gentleman, not only in New Zealand but in a neighbouring colony, that he felt he could not go very far wrong in supporting the amendments which that honorable gentleman had intimated his intention of proposing. He was quite sure that the honorable gentleman would not propose any amendments with the object of defeating the purposes of the Bill, but that, on the contrary, his only desire was to see that it should be properly administered, and that the "leakage" which had been referred to by his honorable friend Mr. Campbell should be as little as possible. He thought that the Council would be greatly assisted in making amendments and placing checks upon this scheme, by the disposition which the Government had shown to be guided by the Council. He thought that the Colony would have no difficulty in meeting the extra demand which would be made upon it for the interest upon the money which was proposed to be borrowed, because our population, our exports, and our commerce generally, would be largely increased. He had listened with interest to the remarks of the Hon. Colonel Kenny. He had understood that honorable gentleman to say that the Bill should be thrown out; that the Colony should accept the million loan; and that, if it were accepted, it would be a great breach of faith if it were not expended in the Northern Island. The country would not accept the loan on those terms. The South Island considered that the amount of interest which was annually paid for the large sums of money which had been expended in the North Island was quite sufficient, and would not give its credit for another million of money, which might be thrown into that

vortex, that "bourne from which no million returns," the Northern Island. He thought that the speech of his honorable friend Mr. Gray was almost the strongest which had been made in favour of the scheme, because he had admitted that it would give a stimulus to our manufacturing industries, and would tend to produce prosperity throughout the Colony. The honorable member had said that we might perhaps save threepence per bushel to the farmer, but that it would be no use because there would be no market. He thought that, if people looked at everything in that light, it would be as well not to initiate any industries at all, and the result would be that all progress would be effectually put a stop to. He had taken the trouble to make a calculation as to what the threepence per bushel would amount to in a year, and he found that in Canterbury alone the farmers would save £31,000, which was a very considerable item towards the expense of a railway. Supposing that a railway would double the export of grain, which he thought it would, there would be a saving of over £60,000, which was no inconsiderable sum for one Province. He was very much surprised to hear the honorable member say that he would vote against the Bill. His honorable friend would excuse him for saying that he reminded him of the *blasé* individual in "Used Up," who had seen all kinds of fast life, and had come to the conclusion, in regard to everything, that "there was nothing in it;" and who, while travelling in Italy, went and looked down the crater of Vesuvius, remarking that "it was very fine, but there was nothing in it." The honorable member looked at the scheme, and after showing that it would be most beneficial to the country, said that "there was nothing in it." He would like to have seen the honorable member, after pointing out its many advantages, take a more colonial, a more patriotic, view of the subject, saying, "I will throw in my lot with yours; I will put my shoulder to the wheel, and render every assistance in my power to overcome its difficulties." That would have been a far better course than that which the honorable member had taken. In respect to immigration, he found that it was proposed to introduce into the Colony about 15,000 immigrants every year, or about 1,600 to each Province, a number which he thought might be very easily absorbed. It must not be forgotten that a great advantage in connection with the immigrants would be, that they would bring a certain amount of capital with them, by which they would recoup a large portion of the outlay which had been made. It had been said by many honorable members that the "navy" did not belong to a class which it was desirable to introduce into the country. He could only speak from his own small experience, and he knew that there were from 200 to 300 navvies employed upon the Canterbury railway, a great many of whom had their wives with them, and he did not think that a more orderly class of people could well be found. When the railway was finished, most of those men purchased land, and were now settled down as small farmers.

There were a great many ways in which immigrants of that description might be put to very useful purposes. There could not be better men for making roads or for the diggings, and he should therefore support the immigration scheme. The next subject was the payment for railways in land. He fully approved of that proposal, although he knew that many honorable members differed from him. In Canterbury that principle had worked very successfully. In that Province 20,000 acres of land had been taken by the contractor for the railway, representing a sum of £40,000. The result of that system was that the contractor had settled in the Colony. Instead of taking the money out of the Government chest, the contractor had settled down, selecting his land in blocks of 8,000 or 10,000 acres, which formed nuclei for subsequent selections. To show that the gentleman to whom he referred was in earnest, he had now something like 45,000 sheep. He had no doubt that, when the railways were completed, the freehold land he had purchased would be settled on by small farmers, and from the way in which he had acted, he (Mr. Wigley) was induced to believe that he would bring other persons out to the Colony, and thus do it a good service. Honorable members had said that land given in that manner would pass away from the Colony altogether, but it would not be so. It was very different to the case of a private individual, who, when he disposed of his land, parted with it absolutely. It would not be a loss, but a profit, to the Colony, because the land would form homes for immigrants, who would pay a certain amount to the revenue, and the land was also available for local taxation. Believing, as he did, that if this Bill was properly guarded, and there were sufficient checks put upon it, it would be a great success, he should vote for the second reading.

The Hon. Mr. MANTELL had been rather amused at the fact that his prognostications were verified by the remarks of his honorable friend Mr. Waterhouse. Upon first seeing the scheme, he had said that it seemed to him to be a very mad one. It was true that, using the words of an eminent writer, he might have exclaimed, "I said in my haste all men were mad," but, like the old Scotch body, he found that he might now have said it "at his leisure," because, with the exception, perhaps, of the last speaker, every honorable member had declared that if this clause, or that clause, or another clause, were not amended, it would be very imprudent to pass the measure. He had looked at the scheme as a whole, and he saw that, pervading the whole Bill, there was the extreme imprudence of intrusting powers to honorable gentlemen who had not made up their minds how to exercise those powers. They had not done so, and why? The Hon. the Minister of Justice had rendered that very clear in his able, frank, and statesmanlike address. That honorable gentleman said that, by this and other measures, the General Government was about to assume to itself the administration of certain affairs which had previously been conducted by nine other Governments, and that

therefore this measure might appear "sketchy and speculative."

The Hon. Mr. SEWELL said that when he had used the expression he was apologizing for the introduction of a Bill which was not for the formation of specific railways, but which contained an outline of a system of railways, and was therefore necessarily of an undefined character.

The Hon. Mr. MANTELL had purposely given the honorable member an opportunity of explanation. The honorable gentleman made out that the Bill was topographically sketchy, and speculative, and he agreed with the honorable gentleman, because the General Government was about to take upon itself the functions which had been hitherto discharged by nine other Governments, and, having had no experience in the matter, was not prepared to say in what particular way it would discharge those functions. With respect to the gigantesqueness of the scheme, he saw nothing in it except the addition of a cipher to previous proposals of the kind. He thought that the scheme of the Hon. Mr. Domett was put before the country in a better and more practicable shape. He could not help thinking that there was something of the wisdom of the serpent in adopting this exaggerated scheme. He was reminded of a sketch by Thackeray, which appeared in *Punch* some years ago, in which two persons were conferring as to the best way to make money out of the railway companies. One was complaining to the other that he could never make anything out of them, and his friend replied:—

I always writes for five hundred shares,
And then they puts me down.

It was to the innumerable demands which would be made upon the public, that honorable members trusted for getting anything at all out of the scheme. The Hon. Mr. Waterhouse had said that clauses 1, 2, and 3, required alteration, because they left room for corruption. He must say that it was an act of extreme imprudence to enact clauses which were open to that abuse. The honorable gentleman had also said that power was given to expend seven millions, and he (Mr. Mantell) declared that, to enact such provisions would be extreme imprudence, otherwise madness. There were also several other matters to which the honorable gentleman had referred, which were all extremely imprudent, otherwise mad, provisions, namely, the fact that it would be in the power of the Agent-General in England to grant cabin passages; the absence of all proper safeguards; and also that, under clause 88, the Governor had power to make appointments *ad libitum*. His honorable friend Mr. Campbell had expressed his opinion that the money could be obtained; well, that was within the bounds of possibility, such was the magnitude of human folly. He should think that, of all men, the New Zealand Commissioners at home would be well informed on the subject. It was true that they had received exuberant accounts of the city being in a state of jubilation at the rise of the new Zealand bonds, but he had been allowed to see a private letter which had been received by last mail from a gentleman who was well known in the

Colony, by which it appeared that even in that house of joy there was a skeleton. In that letter the following paragraph occurred:—

"The proposed further conversion of provincial bonds is a failure. Dr. Featherston, who is very courteous and agreeable, tells me they have not had more than £100,000 sent in for exchange, and I gather from him that the financial position of the General Government is very ticklish and unsatisfactory, as FitzGerald averred in his pamphlet."

It was only natural that a certain amount of jubilation should be followed by a period of depression. He thought that the amount which was proposed to be guaranteed by the Home Government was as much as we could expect, and as much as we ought to attempt to deal with. He had no desire to be personal in his remarks, but he must say that he did not think that the future historian would be able to say that the money had been honestly expended. In view of the fact that—

The evil that men do, lives after them,
The good is oft interred with their bones,

he might say that he was quite willing to take whatever share of reproach might fall to his lot in consequence of the course which had taken. The Hon. Mr. Nurse had given a happy illustration when he said that the indebtedness of every individual in the Colony, after those loans had been negotiated, would be the same as the indebtedness of every individual in the Province of Southland. Southland had been abolished on account of its indebtedness, and was handed over to Otago, and he was quite prepared to see a measure proposed next session, to the effect that the Colony should assume the debt of Southland. That he felt was inevitable. They had been long complaining of the cumbersomeness of the name "New Zealand," and there was now a very appropriate name going a begging. He hoped they would see a Bill next Session to alter the name of "New Zealand," to "Southland." It would be a graceful compliment, and it would be reminding us in time of the state to which we would be brought by legislation which, as the Hon. the Minister of Justice had said, was "sketchy and speculative." He should support the amendment that the Bill be read a second time that day six months.

The Hon. Mr. J. P. TAYLOR addressed the Council, but was inaudible in the gallery.

The Hon. Mr. JOHNSTON said he did not consider the Bill before the Council was all that could be desired, but as he fully recognized the importance of immigration and public works he should vote for the second reading. The honorable gentlemen on the Government benches pre-faced their speeches by comments on the financial statement laid on the table of the Council, and he hoped to be excused if he followed at some length in the same direction, especially as he failed to learn how much money was to be spent under the provisions of the Bill. Attention was first given to the capitation allowance to Provinces. He agreed with the dissolution of partnership between the General and Provincial Governments, and was surprised to find that a clause in the Bill renewed

that partnership by allocation of half the stamp duties. He thought that might have been avoided, and that some other arrangement could have been made that would have prevented such renewal taking place. He would next refer to the proposition to set apart £50,000 on behalf of road boards. He coincided with that proposition, and regretted that double the amount had not been awarded. With regard to the readjustment of the tariff duties, the honorable member the Colonial Secretary said it was no violation of free trade, but such a readjustment as would encourage local industries. Those honorable gentlemen who heard the opinions which he (Mr. Johnston) expressed when the Reciprocity Bill was before the Council, would not be surprised to hear that he did not agree with the opinions expressed by that honorable gentleman, nor that, when the Bill for the readjustment of the tariff came under the consideration of the Council, he should, if it were a Bill such as indicated in the financial statement, oppose it. He now came to the question of defence. He was afraid, in the remarks he intended to make, he would be accused of holding heretical opinions, because those gentlemen who had spoken to the question in the House of Representatives and in the Council agreed that money allocated for defence purposes was properly raised by loan. However, he begged to differ from that opinion. It appeared to him that expenditure for defence had become too chronic not to be regarded as a part of the expenditure of the Colony. Already there was a floating debt of £600,000 accrued in that direction. The Colonial Treasurer, in making provision to meet the charge for colonial defence, had not put, as usual, a sum on the estimates for the year, but had deemed it necessary to provide by loan for five years, and, if it were necessary to make provision for five years, it appeared to him also necessary to look beyond that period, and, if it were so, then an expenditure so regularly recurring could not be held to be exceptional, but one to be met by ordinary revenue. Apparently, the country was, at the present time, in a quiet and peaceful state, and there did not appear to be danger of further disturbance. Titokowaru had disappeared, and Te Kooti was a fugitive; but it was, no doubt, in the recollection of many honorable gentlemen that at no time was the country in a more tranquil state than shortly before the outbreak of Titokowaru and the escape of Te Kooti and the Chatham Islands prisoners. Peace was then so apparent that the money allocated for defence expenditure was reduced to £30,000 or £40,000, and it was also agreed that the defence office should be abolished. It appeared to him that they had so educated to arms such a large number of friendly Natives, that it was now necessary for them to act as guardians over those who had been trained to the use of arms. To do that, it would also be necessary to maintain European forces. Let them not forget what appeared in the Wanganui newspaper regarding what occurred in connection with that well-known chief Topia, who, it appeared, gave information against some man who had sold to him powder, caps, &c. Topia confessed that he

bought these things when at war with the Pakeha, and it also appeared that he was just as willing to fight against the Pakeha as to fight with him. No doubt, so long as the king and the chiefs remained in a kind of sullen isolation, and so long as we lived in the midst of apparently quiet and well-behaved Natives, who did not hesitate to tell us a few months ago—being, as they were, on terms of friendship with Te Kooti—that, if notice came from the king that they were required to rise and make an attack, they would do so—so long as such a probability as that existed, they could not regard the sum of money which was put on the estimates for defence purposes as other than chronic, and it must, therefore, be regarded as a daily and year by year expenditure. Therefore, he contended that it could not be looked upon in the light in which it was represented by the honorable gentleman the Colonial Secretary, namely, as an altogether exceptional expenditure. To his mind, it partook of another character, and he therefore said that, in estimating the revenue and expenditure of the country, they must put down the estimate alluded to as likely to occur from year to year, not to be met by loan. Indeed, he believed that such was modern practice. The mother country, in order to defray the expenditure in connection with the Abyssinian war, increased the income tax; in two or three years the money was recouped, and no longer remained part of the debt of England. He would now speak to the Bill before the Council. In approaching a Bill of this kind—a Bill which some honorable members described as carrying with it weal or woe to the country—it was desirable to examine into the present position of the Colony. The Hon. the Minister of Justice, in speaking in favour of the Bill, and to illustrate the present prosperous state of the country, went back to the year 1860, and drew a comparison greatly in favour of 1870. He had followed the honorable member, but he had not been able to arrive at the same opinion as to the relative position of the country. He would read his figures to honorable members, and they would be able to say whether they agreed with what he stated, or with what was previously stated by the honorable gentleman the Minister of Justice. The honorable gentleman stated that, in the year 1860, the population of these Islands was 80,000; he estimated the imports at £1,549,000 and the exports at £588,953.

The Hon. Mr. SEWELL remarked that he did not refer to the imports.

The Hon. Mr. JOHNSTON said that imports were more necessary than exports to be considered. The honorable gentleman estimated the debt at £650,000; the revenue, £233,000; the expenditure, £105,000; with three-eighths to Provinces, £87,000. He found, however, on referring to the financial records, that the Provinces appeared to have received £92,000, but still there remained a surplus of revenue over expenditure, which, dividing debt by population, gave £8 per head. The imports, which amounted to over £1,500,000, as against the exports, which amounted to £580,000, was a fact which was rather significant, for it showed that the balance of trade in 1860 was in

favour of this country. It was, in his opinion, a good sign to see imports so much larger than exports. If the honorable gentleman referred to the imports and the exports of the mother country, he would find that the imports exceeded the exports; that was regarded as the balance of trade in favour of England, and he did not see, unless imports exceeded exports, how a country could become rich. The honorable gentleman next proceeded to deal with the years 1869-70; and he believed the honorable gentleman said the population amounted to 250,000, the debt to £7,500,000, exclusive of a floating debt of half a million; the imports to £4,780,000.

The Hon. Mr. SEWELL said he referred to the exports, but not to the imports.

The Hon. Mr. JOHNSTON said that in his calculation he could not leave out imports. The exports were £4,300,000; and he found, by contrasting the debt with the population, that it amounted to £32 per head of the population. That was in excess of what was borne by Englishmen on account of the national debt represented to be £800,000,000, the population being 30,000,000. Thus the honorable gentleman would see that, in 1870, our individual indebtedness was in excess of the individual indebtedness of England. It was after going into these calculations that he arrived at the conclusion that the position of New Zealand in 1860 was far more safe, sound, and healthy, than it was in 1870. He trusted the Minister of Justice would make a note of the figures which he had quoted, because he would be glad if the honorable member would be able to remove from his mind the impressions which had been made upon it. No doubt that which happened in the case of the General Government and Colony of New Zealand was no more than had happened, since 1860, to a great number of gentlemen in private life. They might have added acre to acre, increased the number of their flocks, and fenced, and made improvements in their stations during the last ten years, but when they also contrasted debt and expenditure against income, it was a question whether they, like the Colony, were not poorer. He understood the Minister of Justice to say, when referring to the Bill, that on account of the large debt of the Colony—£7,500,000—it had been wisely determined to limit the amount of money to be borrowed, and that the Government did not propose to contract liabilities beyond £4,000,000. He would like to know how much it was proposed to be set aside for railway purposes.

The Hon. Mr. SEWELL.—£2,000,000.

The Hon. Mr. JOHNSTON said it appeared to him, then, that exclusive of the £2,000,000, £4,000,000 was to be borrowed.

The Hon. Mr. SEWELL.—Exclusive of £1,000,000 for defence.

The Hon. Mr. JOHNSTON said that even then he could not make the accounts agree. He put down £400,000 for roads in the North Island, £400,000 for railways in the Middle Island, £50,000 to road boards, £300,000 for water supply on gold fields, £200,000 land pur-

chased in North Island, £60,000 telegraph extension; and then he put down £790,000 for defence purposes, £600,000 floating liabilities, and £1,000,000 for immigration, making a total of £3,800,000. That was without anything being put down for railways. He understood the Government would raise the loan by negotiating bonds bearing 5 per cent. interest; certainly an interest of $5\frac{1}{2}$ per cent. was named in the financial statement of the Colonial Treasurer as the rate of interest to be paid for money, but he supposed that, as the larger part of our bonds already issued were 5 per cent. bonds, that bonds bearing the same rate of interest would be issued for the present loan; but, calculating 5 per cent. bonds to be sold at from £90 to £92, they would yield an interest of 5 to $5\frac{1}{2}$. The quotation for our 5 per cent. bonds by last mail was £99. He therefore believed a loan not exceeding five millions should be negotiated at £90 to £92; but, assuming the price of £92 to be obtained, there would be a loss of £320,000 in the negotiation, irrespective of commissions, &c. Add £320,000 to £3,800,000 and you have £4,120,000, without providing for one mile of railway. If that were the case, those honorable gentlemen would find it difficult to obtain money to carry out their arrangements, or it would probably have the effect of giving honorable members until next session to say where the railways should be constructed, and to consider how to obtain the ways and means to provide for them. But, notwithstanding, he presumed that the Colonial Treasurer must have some other idea with regard to this five millions than he had himself arrived at; because he had noticed that it had been said in another place that he was prepared to make lines of railway in various parts of the Colony. For instance, from Dunedin to the Clutha, fifty miles; from Timaru to Timuka, eleven miles; Selwyn to Rakaia, twenty-two miles; Christchurch to Rangiora, eight miles; Pictou to Blenheim, eight miles; Nelson to Foxhill, twenty-two miles; Auckland to Waikato Bend, forty miles. He was not aware that he had anything more to say. He had not risen for the purpose of making a speech; but he had thought it right to bring before the Council the figures which he had quoted, in order that the honorable gentlemen on the Government benches might point out in what respect he was wrong in his calculations, or that they might say in what way they proposed to amend their scheme. He, however, would not like to sit down without saying what he thought of the measure as a whole. He did not propose to go into the various details, because many honorable gentlemen had already spoken at considerable length, and in a very able and admirable manner. He must also say that he heard the speeches which were made with very great pleasure, because it was an evidence that the members of the Council took an interest in the measure—an interest which was only equalled by the importance of the Bill itself. He listened to the statement made in the House of Representatives in regard to the matter with considerable attention, and on that occasion he regarded the measure as

likely to be of great benefit to the whole of the Colony; but he had since noticed that whilst the measure, if passed, might be of great benefit to one part of the Colony, it was likely to be of very little benefit to another, and more especially as regarded that part which he thought ought to have received a much larger share of attention than had been bestowed upon it. If they were to import from Great Britain or Europe a statesman—one deserving the name—who would be uncontrolled by Ministers or Parliament, and would be merely called upon to give an opinion as to what he considered would be most beneficial for the country, he would, after having become acquainted with it, say that the weak point of the Colony was the North Island, and that the surest way to remove that weakness and impart strength would be to carry a railway along its West Coast; that instead of setting aside £400,000 to be spent, not under the direction of a Superintendent, but wherever Government might direct that that sum, with such necessary larger sum, should be spent in making a railway from Taranaki to Wanganui, thence to Manawatu, and from there to Napier. In constructing such railway, and locating immigrants judiciously along its line, Government would be doing much to secure permanently peace in the North Island, for that part of it, Taranaki to Wanganui, was the hotbed of insurrection, the residence of the most turbulent of the native race. It was also the garden of New Zealand—in no part of New Zealand was the soil uniformly so rich and so easy of cultivation. And last, though not least, the sale of the land confiscated in a large part from rebel Natives would go far to recoup the cost of construction.

The Hon. Mr. GISBORNE.—Sir, in speaking on this question in reply to preceding speakers, I will not detain the Council by referring in detail to their speeches, but I will endeavour, as far as possible, to generalize, and so to shorten the remarks I have to make. Before I proceed further, I have to congratulate the Council upon the great ability which has characterized the speeches made on this occasion, both for and against this measure, and also to express, on behalf of the Government, its sense of the forbearance and moderation which have distinguished those speeches. There is only one matter which has given me any cause of complaint, and that is the allusion which has been made by one or two honorable members to the position of my honorable and learned colleague and myself in regard to this measure, as though we were not sincere in bringing it forward, and that we only brought it forward in consequence of political pressure on the part of our colleagues, and also on account of other political pressure which has been brought to bear upon us. Notwithstanding the complimentary language in which such insinuation has been made, I must point out that not only is such supposition unconstitutional, but it is also painful, because, if it means anything, it means that we are, under false pretences, endeavouring to induce the Legislature to undertake those liabilities which in our hearts we think they ought not to do;

and if we are so weak as to be subjected to pressure to induce us to bring forward a measure of this kind when we do not agree with it, it shows immediately that we are altogether unfit for the place we occupy; for how can we expect to carry this measure in its practical application, free from political pressure, if, when we introduced it, we are subject to that pressure. So that honorable members who accompany this observation by saying they have full confidence in the Bill if we remain in office to conduct it through its practical application, are really inconsistent in saying so. Dismissing that part of the subject, I would state, as concisely as I can, my opinions in reply to the objections which have been made to the Bill. It has been stated that the New Zealand Commissioners, when they wrote in reference to the quotation from Mr. FitzGerald's letter, really almost pledged the Colony not to go into further loans, but it is evident that this was not the intention of the Commissioners, for almost at the time, or certainly very shortly afterwards, they were using their efforts to induce the Home Government, and at last succeeded in their effort, to guarantee a loan for the very purposes for which this Bill is intended. The mere guaranteeing of a loan is not, as some honorable members appear to think, the lending of money. We have to borrow the money and to pay the interest on it, and the Home Government has to state publicly, and in the most solemn manner, that if we are unable to pay that money, with interest on it, Parliament has authorized it to step in and pay the interest on it. That is the only obligation they incur, and, for all practical purposes, the English guaranteed million is as much a New Zealand loan as any money raised under this Bill. It would, perhaps, take too long to refer to the whole context of the expressions used by the Commissioners, but it is evident that they did not intend in any manner to express an opinion that New Zealand was not to incur any further liability on account of public works and immigration, or any other undertakings for colonial purposes. One great objection that seems to have been made to the proposals contained in this measure is, that there is no provision for a grand trunk line of railway throughout both Islands; but what does that objection amount to? It may mean that a grand trunk line of railway should be projected on engineering principles, whilst all commercial, or, as I may call them, paying, principles are to be overlooked. If there is to be a grand trunk line on that principle, existing settlements and much valuable land must be altogether overlooked. An engineer will only consider the manner in which the railway shall be most cheaply, in a scientific point of view, carried out, and the result would be that the railway would be for many years practically useless, or, at least, not so useful as if it were formed for the purpose of connecting settlements and opening up the land. With such a proposal the Government altogether disagree, because, if the railway works are to be suspended until this grand trunk line is laid out, we do not see any probability of having

them executed for a very long time to come, and even then I believe this grand trunk line would be a failure. What is a grand trunk line? We do not hear of a grand trunk line in England. What I understood by the term is a line like that across the continent of America through the United States, or that through Canada, the first of which connects the Atlantic with the Pacific and the second the St. Lawrence with Chicago. There the necessity exists for a grand trunk line for great national purposes, but our object is, as it was in England and other countries, to connect settlements with each other, and to render land, which is now inaccessible, accessible; in fact, to make it, as far as possible, a paying concern from the commencement. Thus, every year will enable us to proceed further in this network of railways. There is no doubt, Sir, that when the settlements are connected and the railways pushed forward in this manner, there will eventually be, for all practical purposes, a grand trunk line throughout the Colony. If a person travel from the south of England to the north of Scotland he does not travel by a direct line, as he would have done in the old days of Roman roads; he travels by a much more circuitous route, but, for all practical purposes, he is on a grand trunk line of railway. And so we in New Zealand, by forming railways from settlement to settlement, and pushing them forward to new settlements as they spring up, will ultimately have, from the south to the north of the Middle Island, and from the north to the south of the North Island, trunk lines, not run through on engineering principles alone, but connecting settlement with settlement, joining village to village, and running through settled country, although, perhaps, by a somewhat circuitous route. If honorable members will look at the map of New Zealand, and notice how it is only possible to connect these settlements, they will see how closely a line like that does approach to a grand trunk line. In the South it will run from the Bluff to Dunedin, from Dunedin to Christchurch, and from Christchurch north to the Strait; and, in the North Island, from Wellington to Taranaki or Wairarapa, and so on, and eventually, as we are enabled to proceed with these railways, there will be an almost direct line from north to south of these two Islands. I utterly object to surveying a trunk line at first, and postponing to the Greek Kalends, if I may so call so doubtful a date, the commencement of this network of railways, which will not only materially advance the country and enable it to proceed further still with its railway works, but will also be a profitable concern in the meantime. There is another class of objection made, to which the Government will also oppose itself, and that is, to make this work a colonial and not a provincial charge. Sir, I do not mean to say by this that the work is not a colonial work. I say it is a colonial work so long as it is undertaken by the Colony and carried out by the Colony, and so long as the Colony is solely responsible for its execution, whether or not the charge is eventually, or at the time, made a local charge. No one will say the collection of the customs

revenue is not a colonial work, although the charge is made provincially, and so with the Supreme Court. The test of its being a colonial work is, that the representatives of the Colony are responsible for it. Then what would be the result of making it a colonial instead of a local charge? It would be to shift the expense from the customs and land revenue combined to the customs revenue alone, and that would be to relieve the Provinces—or districts I may call them, if honorable members object to that name—which really participate in the material benefit to be derived from the works, from their share in half the expense, because these districts would still appropriate the land fund, which would remain free from this charge if the whole were placed on the customs revenue. Then it might be said, "Take the land fund, and make this a charge on both." But, I would ask, are you going to wait for the construction of these railways until you take the land fund, and revolutionize the whole constitution. If you do so you will postpone these works for years. We have these institutions, and our province is to use them and not to abuse them, for they will materially aid in carrying out the work. As I said on a previous occasion, this Bill, in its practical operation, will tend to fuse all these different districts into one harmonious whole, will strongly cement the unity of the Colony, and will do so much more effectually than any small measures for abolishing the Provinces or taking away their land fund. Then it is asked, "What good is this Bill to the North Island, when the Provinces cannot pay for these railways?" I would, on the other hand, ask "What would be the result of making it a colonial charge?" It would be to call upon the Middle Island to colonize the North. Would not the Middle Island object if it were put forward as a policy that the guaranteed million loan should be spent in the North Island, or that the guarantee on these railways should be chiefly paid by the Middle Island? I think you would find a very large muster of Middle Island members objecting to such a policy as that, and naturally so, because the greatest recommendation of this Bill is that it contains a comprehensive colonial policy, comprising both the North and Middle Island, and any great divergence from that would render the colonizing of one Island dependent upon the means of the other, which would tend more to separation than any measure you could adopt. But, Sir, I deny *in toto* that the Provinces of the North Island are unable to pay for railways. I believe they have resources in land, and will very soon have ample resources in money, which will enable railways to be constructed with very little delay throughout that Island. The Hon. Mr. Johnston said that a great political advantage would arise from having a railway constructed from Patea to Taranaki, and the Government fully recognizes that advantage; but, having adopted the principle that the General Assembly was to determine, in anticipation, what railways should be constructed, and on what terms, and having stated that we were pledged, before asking the Assembly to do that, to show

that the Province through which the railway was to be constructed was able, either by land or otherwise, to pay for the interest on the money borrowed for the construction of the line, we were practically bound not to ask the Assembly to sanction any line of railway in respect of which we could not give them that information. I am sure honorable members must see, from the construction of this Ministry, that it is absurd to suppose they do not recognize the necessities of the North Island. What we say is, that this line of railway in the North should be constructed as soon as possible, but, before we ask the General Assembly to sanction that construction, we must be able to give it all necessary information—to arrive at and determine, with something like accuracy, the money to be spent on it. My honorable friend Mr. Johnston went into a great many figures, through which, from not having heard him very accurately, I was not able to follow him, but I may endeavour, as far as possible, to make an explanation of how this loan of four millions is made up. It is made up in this way:—

Railways	£2,000,000
Immigration	1,000,000
Roads in North Island ...	400,000
Purchase of land in North Island	200,000
Water supply to gold fields ...	300,000
Telegraph extension	60,000
Unappropriated	40,000
Total	£4,000,000

That statement will, I think, inform the honorable gentleman on that point. That is the total amount which the Government wished to borrow for these public works and other purposes mentioned in the Bill. It must, however, be remembered, and I think the omission of reference to this fact has tended to confuse the subject, that, in regard to the two millions for railways, the expenditure is determinable by the General Assembly from time to time. These two millions and the amount allowed for guarantees are not given to the General Government to spend as they like upon railways, and to show a distrust as to the way in which this money would be expended is to show a distrust of the General Assembly, because the General Assembly must, according to this Bill, pre-determine the construction of each railway, and the terms on which it shall be constructed. Therefore there must be a Railway Bill in each case, which will raise the questions in the General Assembly: "Is such a line to be made—if so, upon what terms; and is the district through which it is to pass in a position to show that it is able to give a guarantee for the interest of the money borrowed to construct the railway." That, I think, disposes of a great many of the objections with respect to the construction of railways. It is for the Legislature to decide, line by line, what shall be done with regard to these railways, what liabilities shall be incurred, and upon what terms and what liabilities shall those railways be constructed. With regard to the other public works proposed, I may say that we shall have to discuss them in Committee, because there are specific

amounts stated, but with regard to the railways, as I have stated before, the Bill is framed to throw the whole responsibility on the General Assembly, and no discretion whatever is left to the General Government. Of course, the General Assembly will state what the terms are to be, and it will be the duty of the General Government to carry out those instructions. Something has, I think, been said with regard to consulting the provincial authorities upon the subject; but, Sir, these railways will materially affect the Provinces through which they pass, and all we ask is that the opinion of the provincial authorities should accompany any plan submitted to the General Assembly. It is not stated in the Bill that those opinions must be taken. All we ask is that they should accompany the proposal, and that I do not think the strongest anti-provincialist will consider an over indulgence to the Provinces. With regard to the supply of water to the gold fields, there is no doubt that there is more power left in the hands of the provincial authorities to say whether the works shall be constructed or not, and so in regard to the purchase of land in the North Island. In the latter case, we think that as these lands are to be handed over, as waste lands of the Crown, to the provincial administrations, subject, of course, to the stipulation that it should be applied to public works and immigration, the General Government should not buy any land without the sanction of the Provincial Governments, which would be in the best position to say whether it could afford to spend money on account of the purchase of that land. There is, Sir, I believe, another amendment to this Bill which as yet has hardly been shadowed forth, but I may say at once that if it is intended that any power should intervene between the Ministry and the General Assembly, so as to relieve the Ministry from responsibility, the Government must object to such an amendment. If, however, it is merely proposed that there should be a board to advise the Government, of course there would be no objection. In fact, the Bill contains such a provision. It is our wish to have a board constituted of persons most eminently qualified to give advice, and I have no doubt that, in nine cases out of ten, the Government would be guided by that board; but if you wish to stand upon old constitutional principles, and not to introduce a double Government and distracted councils, you must insist that the Ministry shall be directly responsible. There is one point raised by the Hon. Mr. Johnston which I forgot to refer to, and which I may now answer. The honorable gentleman went into a calculation about the ability of the Colony to meet these liabilities which it is proposed to incur. I find a difficulty in following the honorable gentleman, because I differ from the first principle on which he starts. He says that it is not the amount of the exports, but the amount of imports, which show the prosperity of the Colony. I suppose the honorable member means to qualify that statement by saying that it is the amount of imports for which the Colony is able to pay, because there may be a large amount of imports into a colony which the colony cannot

pay for. I must say that I always thought it was the A B C of political economy that the amount of the exports showed the prosperity of a country.

The Hon. Mr. JOHNSTON.—If a man spend continually a large sum of money it is to be inferred that he is rich.

The Hon. Mr. GISBORNE.—I am afraid that, practically, we see a great many instances of persons spending large sums of money who are not rich. I think the true test of the prosperity of any state is its productive power, and that it could not continually import more than that productive power would enable it pay for. There being this material difference in principle between the honorable gentleman and myself, I cannot undertake to answer all his arguments. I say that the Colony, in the year 1869-70, when the exports were so much more in proportion than they were in 1860, was in a better state than at that time, and was better able to pay its way. The exports in 1860 were not one-third, or more than one-fifth of the imports, but in 1869-70 they very nearly approached the amount of the imports, and therefore I say that the Colony now is in a much more healthy state. That is my inference. It is a mistake to assume that we are to go into the market and borrow all this money at once. With regard to the two millions for railways, it rests with the General Assembly, from time to time, to say whether that is to be borrowed, and how much of it is to be borrowed at any time. With regard to the other moneys, we should, of course, only borrow as much as we required. I am not so conversant with the mystery of loans to say whether it would not be better to have a continuous credit of some large sum, in order that we might borrow from time to time from that sum, or whether it would be better to go into a fresh loan on each occasion that we required money. The million to be borrowed under the Defence Purposes Loan Act is called the defence million, but the amount is really only that which will be required from year to year, and in that way arrangements are made to enable the Government to meet the charge upon it for defence purposes. In the first year it is to be £180,000, and then it is to diminish until, in the three last years, it shall be £150,000 each year. I have no doubt that the arrangement which has been made before can be made again, without incurring that loss to which the honorable gentleman refers. I have not had time to consider very critically the amendments which have been made, but I may state generally, as I stated before, that the Government will resist any amendment which will try to substitute for their present proposal a proposal to survey a general trunk line throughout the two Islands and the suspension of any railway works until that is made. With regard to some advantages supposed to emanate from that trunk line, some honorable gentlemen seem to think that if it be made the General Government will be able to resist with effect any pressure brought to induce them to deviate from it. But if that line is to be laid out, as it must reasonably be, on commercial

principles—on paying principles—connecting settlement with settlement, there will be just as much pressure put upon the Government in regard to the laying out of the line as there would be in regard to laying out any other line. I repeat once more that it is not the General Government which is to resist this pressure, but it is the General Assembly, under this Bill. If the General Assembly says that it will have a line surveyed through the whole Island, and adheres to it strictly, it will be obvious on the face of it that during the progress of this line every political pressure would be put upon it which would be otherwise put upon it under the proposals of the Bill. How can one Assembly decide what another Assembly will do? The conclusions of one session are overset and altered in another session, and with respect to the branch lines, the General Assembly would be subject to the same pressure as if no trunk line were made at all. The trunk line will in no way save the General Assembly from pressure. I hope that we shall go into Committee with a practical desire to improve the operation of the Bill consistently with its principles, and not to improve the Bill off the face of the earth. We have a great opportunity now for commencing these great public works, and if we consider this Bill with a sincere desire to make a commencement as soon as possible, consistently with proper precautions and restrictions, I think that we shall have taken a great step in the direction to which, however much we may differ, we all sincerely desire to tend, namely, the satisfactory settlement of Native disturbances and the real advancement of the whole country.

The Hon. Colonel WHITMORE, C.M.G., desired to ask the Hon. the Colonial Secretary a plain question which would decide his vote upon this measure. He wished to know whether he would be willing to take a discussion in Committee, or whether he would insist upon passing the Bill as it stood? If the honorable member would be satisfied if a clause was introduced, to the effect that such railways as were required to be constructed this year should not be prejudiced by any amendments, he would vote for the Bill, but if he was determined to resist a fair and reasonable view of the case, he should be compelled to vote against him.

The Hon. Mr. GISBORNE.—The Government will resist any proposal that a trunk line of railway is to be laid out through the Colony before the railway works are commenced. As to the course which the Government might take if that point were carried against them, it will be time to decide upon it when the occasion arises. I have already stated the principles upon which the Government will take its stand. I forgot to say that, for the most part, I am prepared to accept the amendments of the Hon. Mr. Waterhouse. I shall be prepared to argue any amendment, in Committee, upon its merits, but no discussion will induce me to depart from the principles which I have laid down as those upon which the Bill is based, as it would be absurd to pass the second reading of the Bill, and then to alter its principles in Committee.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	25
Noes	...	...	...	...	8

Majority for	...	...	...	...	17
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AYES.

Captain Baillie,	Mr. Miller,
Mr. Bonar,	Mr. Paterson,
Dr. Buchanan,	Mr. Pillans,
Mr. Campbell,	Major Richmond, C.B.,
Mr. Chamberlin,	Mr. Sewell,
Mr. Domett,	Mr. Seymour,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. C. J. Taylor,
Dr. Grace,	Mr. Waterhouse,
Mr. Hawdon,	Colonel Whitmore,
Mr. Holmes,	Mr. Wigley,
Mr. Johnston,	Mr. Williamson.
Mr. McLean,	

NOES.

Mr. Gray,	Mr. Robinson,
Colonel Kenny,	Colonel Russell,
Mr. Mantell,	Mr. H. R. Russell,
Mr. Nurse,	Mr. J. P. Taylor.

PAIR.

For,	Against,
Mr. Lee,	Mr. Menzies.

The Bill was then read a second time, and ordered to be committed next sitting day.

WAIRARAPA TOWN LANDS MANAGEMENT BILL.

The Hon. Mr. JOHNSTON brought up the report of the Committee on the Wairarapa Town Lands Management Bill.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives :—

That they disagreed to the amendments made in the Sales for Non-payment of Rates Bill. The reasons were ordered to be considered next sitting day.

That they had passed the Land Transfer Act with amendments. The amendments were ordered to be considered next sitting day.

The Savings Banks Bill, the Agricultural Produce Lien Bill, and the Merchant Shipping Officers Examination Bill, which were read a first time, and the second reading fixed for next sitting day.

That they had passed the Census Bill with amendments. The amendments were agreed to.

PUBLIC TRUSTEE BILL.

The Hon. Mr. GISBORNE, in asking the Council to assent to the second reading of this Bill, remarked that it involved rather a novel principle. The principle was that public trust properties and private trust properties should, if desired by persons holding them, be administered

under an officer appointed by the Government, who would be subject to the control of the Supreme Court, and whose accounts would be continuously audited by the auditor of public accounts. The inconvenience of having trust properties administered by various persons, in various places, had been too often apparent. With regard to private trust properties, it was not proposed to make it compulsory on persons to place them in the hands of a public officer, but they might do so if they thought proper. That raised a large question. It raised the question as to how far the Government could take upon themselves the duties which had hitherto been considered as properly devolving upon private individuals, a question in respect of which it was impossible to lay down any rigid limit. They should consider each case upon its own particular merits. Many persons who wished to leave property in trust for their families, would sometimes feel a difficulty in knowing how to dispose of it in the most effective and satisfactory manner. It was sometimes impossible for persons to say whether they could continue the trust. A variety of contingencies might occur, which would prevent property being administered in a legitimate and proper manner for the benefit of those for whose benefit it had been left. A trustee might die; he might be away in England; he might become an insolvent; and a variety of other circumstances might occur. Then, there might be trustees who would fraudulently administer the property, and then, in that case, the persons, often widows and children, to whom the property had been left, would not get any benefit from it. He was sure that great cases of hardship must have occurred from the want of some such provision as was made by the Bill, which would give persons the satisfaction of knowing that those to whom they left their property could, by adopting this course, participate in it to the greatest advantage. The proposal in the Bill was simply to substitute for these private trusts a public officer, in whom the testator might have implicit confidence, for if a public officer died, his place could be filled up by the Government, and there would, therefore, be no vacancy. And, as he had said before, the accounts would be audited by the public auditor, and would be subject, in some cases, to the Supreme Court. He saw no infringement of proper political economy in the passing of this Bill, but he did see that a great many advantages would be conferred on those who now laboured under the disadvantages of the present law if this Bill were passed. The details of the Bill would be more properly considered in Committee. The Bill had been very carefully drawn.

The Hon. Dr. BUCHANAN asked whether this system had been tried in any other Colony?

The Hon. Mr. GISBORNE said that, as far as he was aware, it was a novel principle. He was not aware that it had been tried in any other British colony, nor was he sure that it had been introduced in any foreign countries, but he did not think that was an

argument for rejecting the Bill. They should consider the question upon its merits, as they were as able as the inhabitants of any other colony to judge whether the proposed measure was likely to be of public advantage or not when presented for the first time. If it was afterwards found that the Bill did not work well, it could be amended or repealed. A measure of this kind could not be perfected at once, but after practical experience they would be able to say whether, and in what way, it would be necessary to amend it.

The Hon. Mr. WATERHOUSE said he admitted that, as stated by the honorable gentleman who had moved the second reading of the Bill, its novelty was not a sufficient reason why it should be rejected, but it was a sufficient reason why they should proceed to consider the measure with caution and deliberation. He believed that public trusts might, in many cases, be useful; but, at the same time, he did not believe that this measure had received that degree of consideration which a measure of such an important character ought to receive, and that, before they proceeded to give effect to legislation of this character, it would be desirable to refer it to a Select Committee, in order that evidence might be taken and a Bill prepared in accordance with the report of such Committee, after the matter had been thoroughly sifted. Of course, at that late period of the session, they could not conveniently refer the matter to a Select Committee, otherwise he would have taken that course. Under the circumstances, it appeared the Council must either pass the Bill without full and mature deliberation, or hold it over for another session. He should not be willing to move or support a motion to the effect that the Bill be read a second time that day six months, inasmuch as such a proceeding implied that the member doing so was opposed to the principle of the measure. He was not opposed to it. No doubt the Bill had been carefully drawn up, but there were certain provisions that had escaped the attention even of the gentlemen who had drawn up the Bill. Clause 11, for instance, enabled persons in the position of trustees to relieve themselves of their trusts, and to hand them over to an officer called a public trustee. Many persons were appointed trustees under will. Upon those persons devolved the charge, not only of the property, but of the children of the person making the will, and it was not unusual in such cases for a person leaving his property in the care of a trustee to leave him, at the same time, a certain sum of money, not only as an intimation of the friendly feeling on the part of the testator, but as an acknowledgment of the services he undertook to perform as trustee under the will. Under the clause to which he had referred, a trust, under will, could be accepted; the trustee could receive a sum of money left under will, and, subsequently, he could get rid of the responsibility devolving upon him by handing it over to a public trustee. That could be done at any moment under the clause. Under clause 13 very extensive powers were given. It provided that any private

person might, by deed—and of course a power of attorney was a deed—place in the charge of the trustee any property belonging to him. For instance, if he left the country, he could leave any property which he possessed in the charge of a public trustee. That was altogether a new function which they were now proposing should devolve upon the Government, and they ought to be careful how they introduced it. They were, in fact, proposing to go beyond the true functions of Government; it was not for the Government to interfere with private agents and attorneys. There was another point which ought not to be overlooked. A person indebted to a public trustee would be in the position of a person indebted to the Crown. Debts due to the Crown took priority of debts which were due to private individuals, and a person acting as a public trustee would have an advantage over the general creditors of any man, and over persons doing business through other channels. To show that this Bill was not so thoroughly matured as it ought to be, he might call attention to the fact that there was no power given by it to sue the public trustee. Honorable members were aware that no one could sue the Crown. The trustee was an officer of the Crown, and, if he neglected his functions, he could not be sued in the same way as an agent or an attorney. Of course, a clause might be inserted to make that provision. Those objections would show clearly the necessity of proceeding with great caution. As the measure was not sufficiently well matured, it might be desirable to hold it over for another session. While, therefore, he was in favour of the Bill if it were confined to less extensive objects, he would, at the same time, move the previous question.

The Hon. Colonel WHITMORE, C.M.G., objected to the Bill for several reasons. He did not think the Government should undertake so much private business as it showed a disposition to do. Every day Bills were being introduced into the Council which would have the effect of placing the private business of the country more and more in the hands of the Government, and, therefore, they ought to be particularly careful in making so great an alteration in their social arrangements. He objected, also, to the system of creating so many trust funds. He looked upon those trust funds with the greatest alarm, and, except in cases of necessity, the number of trusts should not be added to in any way. He objected to the Bill, also, for the reasons which had been so well explained by the honorable gentleman who had preceded him. He would only say, shortly, he objected to the Bill on account of clauses 13 to 17, inclusive—those clauses which gave the public trustee the charge of private trusts. He did not think that a public trustee would be a good person to administer estates in a young country. The circumstances of every district differed so much that it would be impossible for a single trustee to administer all cases satisfactorily, and any delay which might arise would result in the sacrifice of the interests of the people concerned. If the trustee was to be of any use, he should be available to take charge of property

for those persons who had no confidence in any of their friends. That, however, did not appear to be the case at all. There was a very large latitude given to a certain board to reject any trusts which they might think fit, and after the death of a person, or his leaving the Colony, it might turn out that the trust had been rejected. If the Bill were intended to be a reality, that difficulty must be got over. Clause 41 was also a very objectionable feature in the Bill. The public trustee was not to be held liable for anything he might do, so long as his action was not of a fraudulent nature. According to that, he could not see that an unfortunate person, whose estate was maladministered, had as much security as he would have in regard to a private trustee. On account of the greater confidence which people would have in a public trustee as a Government officer, a large number of properties would be placed under his charge which would otherwise be left, with greater restrictions, in the hands of private trustees, and yet their security would be worse. He should have much pleasure in voting with his honorable friend Mr. Waterhouse, and would vote consistently against all hurried measures of the kind, whenever they came before the Council, unless he heard better reasons assigned for them.

The Hon. Captain FRASER had much pleasure in supporting the Bill, which he considered was one of the best measures which had ever been brought before the Parliament, and one which would be conferring a lasting benefit upon future widows and orphans. The Bill did not go to the length that he would have desired, because it did not give a colonial guarantee for compensation; but, at the same time, it hedged in trust property with an annual audit and other safeguards which could never be obtained from a private trustee. It was well known that there were well-to-do persons in the Colony who had no relations to whom they could intrust their property, and to whom the Bill would be a great boon. He spoke feelingly upon the subject, as he had been a victim to the maladministration of a trustee. Generally speaking, when such a thing took place, it was on the part of a relation, who was, in consequence, protected from prosecution. Honorable members must often have found that it was very unpleasant to refuse to act as a trustee, because a trust entailed a great responsibility, not only upon oneself but also one's heir. A relation of his was a trustee, and after he died, he (Captain Fraser) had been called upon, as his heir-at-law, to act. He declined to do so, but ultimately, after a suit had been instituted in Chancery, he was compelled to act in that capacity.

The Hon. Mr. HOLMES thought that the Bill should receive a little more attention than honorable members seemed inclined to bestow upon it. Some honorable members were under the delusion that once a person had nominated a trustee there were no means of getting rid of the trust, but he would point out that an absence of six months from the Colony divested the trustee of all responsibility. The idea of receiving emolument, and then handing over the trust to a public

trustee, was not a case likely to occur. It was very seldom that anything was left to trustees. He knew a case in which property was invested in trustees, some of them having no relationship to the party making the will, and the duties entailed on the trustee would have been worth £500 a year for many years, but not a shilling was left to him, and he was expected to perform a large proportion of the business connected with the trust. The cases which demanded most attention were those of widows and orphans. In what way was property to be secured for their support? It was well known that people in the Colony had little enough time to look after their own affairs, much less to the affairs of others, and, therefore, if it were only for their sake, he would support the Bill. There were some clauses, especially clause 13, which he would like to see excised from the Bill. He thought there should be no interference with parties who were able to protect themselves, or who could appoint trustees and exercise a supervision over them. In respect to the objection of the Hon. Colonel Whitmore as to the custody of the proceeds, he saw that the money was to be vested in the Government, and, therefore, there was greater security for its safe-keeping than there would be under any other circumstances. He would, therefore, support the second reading of the Bill, and felt satisfied that the Hon. the Colonial Secretary would not object to any reasonable amendments being made in it.

The Hon. Mr. MANTELL would support the amendment of the Hon. Mr. Waterhouse, because the Bill required more consideration than they were now able to devote to it. He failed to perceive the advantages which would be afforded to private individuals, because the desire of any person to place his property under the custody of the public trustee might be prevented by the board rejecting the trust. He could not see upon what principle the board was to decide. He thought it was quite possible that a Government might retaliate upon the widow and orphans of a political opponent; at any rate, it would be in their power to do so. He would not say that a public trustee might not be a very useful person, but he should be absolutely a non-political officer. He should be an officer of the Assembly, and not of the Government for the time being. The board was to consist of the Colonial Treasurer, the Government Annuities Commissioner, the Attorney-General, the Auditor, and the Public Trustee, a majority of whom were, without doubt, political officers. He should vote for the previous question upon the ground laid down by the Hon. Mr. Waterhouse.

The Hon. Mr. CAMPBELL said that although he agreed with the measure to some extent, he could not go with it in its entirety. He thought that the Government should be responsible to the people who intrusted their property to their care, and he hoped that the honorable gentleman would accept amendments having that object. He believed the measure was very much needed, and would confer a benefit on all classes of the community.

The Hon. Mr. ROBINSON would support the second reading of the Bill, although he thought it was brought before the public prematurely, as it would have been well to have settled the Immigration and Public Works Bill first. It was quite certain that if the Bill were passed honorable members would not trouble themselves about any legislation of this kind, as they would have no estates to leave. Nevertheless, in the hope that his prophecy might not turn out to be true, he should support the second reading of the Bill.

The Hon. Mr. BONAR regretted that he had not had more time to study the Bill. He felt that the measure was a very important one, and was much required in the country. Several cases had come under his own knowledge, where the want of a public trustee had been very much felt. In one case, a serious accident occurred, by which a man and his wife lost their lives, leaving five children destitute. Between £300 and £400 was subscribed for the benefit of those children, and two trustees were named. He was one trustee, but his co-trustee had since left the Colony. The other trustee, who would probably have been appointed in his (Mr. Bonar) place, if he had refused to act, might also have left the Colony, and the money would have been left entirely without control. At present the moneys were in his charge, and if they were misapplied no one would be the wiser. In a case of that kind it would appear to be very desirable to have a public trustee. On the other hand, he felt that the Government would be undertaking a very large and important matter. It would require a man of extraordinary abilities to perform the duties which were proposed to be undertaken by the public trustee, because he would have to act for all parts of the Colony, and the probability was that most of the cases would be very troublesome and difficult to deal with. Honorable members who had acted as trustees would acknowledge that the administration of those estates, and of trust funds, had been a great source of anxiety to them, and, if that were the case with regard to individuals, how much more would it be so where there was one general trustee. He was not prepared to accept the Bill without a great deal of careful investigation, and he should therefore support the amendment, so that he might have more time to consider so important a question.

The Hon. Dr. BUCHANAN said that this scheme was very attractive. Speaking for himself, he should be very glad to relieve himself of more than one trust which he had to administer, and he thought that on all grounds it would be a very beneficial system to introduce if it could be carried into practical effect. He could not understand how one trustee and one board were to manage trust property all over the Colony. If the board were in Wellington how could the hundreds or thousands of trust properties in Otago and all the other Provinces be properly administered? He thought it would be a most valuable institution if it were possible to make it work; but, at this late period of the session, when they had not time to give it the careful consideration which

it deserved, he should be disposed to support his honorable friend Mr. Waterhouse.

The Hon. Mr. PATERSON would be inclined to support the amendment, because it was impossible that so large and important a measure could receive due consideration at that period of the session. He had no doubt that the object of the Bill was good, and that, if the measure were carefully prepared, and its provisions judiciously administered, it might be of considerable benefit to the country. The subject was, however, in itself too important, and embraced interests far too vast, to be approached in an inconsiderate or hasty spirit. He thought that a peculiar feature of the legislation of this session was the institution of a great many new appointments of this kind, and he thought that great care and precaution should be taken, by providing proper safeguards, that they might not become a burden instead of a benefit to the country. He should support the amendment so that the subject might stand over until another session.

The question, That the question be now put, was agreed to.

Question put, "That the Bill be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	15
Majority against	...	...	...	...	3

AYES.

Captain Baillie,	Mr. Lee,
Mr. Campbell,	Mr. McLean,
Captain Fraser,	Mr. Miller,
Mr. Gisborne,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Sewell,
Colonel Kenny,	Mr. Williamson.

NOES.

Mr. Bonar,	Colonel Russell,
Dr. Buchanan,	Mr. H. R. Russell,
Mr. Chamberlin,	Mr. Seymour,
Dr. Grace,	Mr. Stokes,
Mr. Johnston,	Mr. C. J. Taylor,
Mr. Mantell,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.
Mr. Paterson,	

The motion was consequently negatived, and the Bill thrown out.

GOLD FIELDS BILL.

This Bill was read a third time, and passed.

POST OFFICE BILL (No. 2).

ADJOURNED DEBATE.

The Hon. Mr. GISBORNE said that the principle which had been adopted by the Council in the Post Office Amendment Bill was, that the non-contributing colonies should not be able to send their mails by our services, and power was given to return those mails. The Hon. Mr. Paterson, who was a former Postmaster-General, suggested to him privately that the prohibitory clause might be evaded by a number of persons sending letters to a private correspondent here

who would forward them. In order to prevent the evasion of the law on the subject the Attorney-General had prepared the new clause which was now before the Council, and under which a penalty would be imposed. He believed that his honorable friend Mr. Paterson could speak with experience of the evasion which had taken place in respect to the Panama service. It might seem an arbitrary proceeding, but the question was whether this Colony was prepared to subsidize a service to America and England, and allow the non-contributing colonies to take advantage of it. It had already been decided that they should not be allowed to do so. It was therefore necessary to make provision which would effectually prevent the prohibition being evaded. In any case in which there was no fraud attempted, the regulations would be framed so that no proceedings might be taken; and if they were taken the Governor would, no doubt, remit the fine. He could imagine a system springing up by which parcels of letters might be sent to New Zealand to be posted here for conveyance by the subsidized vessels.

The Hon. Colonel WHITMORE, C.M.G., objected to the clause, as he did not think it was right to make individuals suffer. The system would work both ways, because it was probable that the other colonies would start new services from which we would be shut out. It was altogether an unworthy proceeding to send back the letters. They had heard a great deal about reciprocity, but there was nothing more calculated to excite bad feeling between this Colony and its neighbours than such a prohibition.

The Hon. Mr. McLEAN hoped that the Council would agree to the clause. If any irritation arose it would be on the part of the other colonies, which had had ample notice that if they did not contribute to the line they would derive no benefit from it. As to the inconvenience which would arise from returning letters by mistake, it was not at all likely that packets of letters would be sent here by mistake. They were much better able to contribute than we were, and if they did not contribute to the line they deserved to suffer.

The Hon. Colonel RUSSELL did not think it would be anything very unusual to adopt the clause. He had to send letters to a friend of his, who resided near the boundary of South Australia, by way of Melbourne. He found that those letters did not reach their destination, and, in course of time, they were returned to him. They were opened in Melbourne and sent back, because there were no Victorian stamps upon them. Although he should be sorry to pursue that course by way of retaliation, he thought it was impossible for the Government to avoid taking the step which they proposed, and it did not at all follow that any ill-feeling would be excited.

The Hon. Colonel KENNY thought that the Government should be supported in the administration of the postal department. Until the previous evening he did not know the particular bearing of the question, but when he heard an honorable member state that one person had sent from Melbourne 200 letters in a packet, to be

posted in New Zealand, it was so subversive of the principles which should be recognized in the administration of the postal service, that he was bound, for that reason alone, to vote against allowing any loophole for such a practice.

Question put, "That the clause be added to the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	20
Noes	...	...	...	6
Majority for	...	...	...	14

AYES.

Captain Baillie,	Mr. Lee,
Dr. Buchanan,	Mr. McLean,
Mr. Campbell,	Mr. Miller,
Mr. Chamberlin,	Mr. Paterson,
Captain Fraser,	Mr. Pillans,
Mr. Gisborne,	Major Richmond, C.B.,
Mr. Hawdon,	Colonel Russell,
Mr. Holmes,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Sewell,
Colonel Kenny,	Mr. Williamson.

NOES.

Mr. Bonar,	Mr. Nurse,
Mr. Gray,	Mr. Waterhouse,
Mr. Mantell,	Colonel Whitmore.

The motion was consequently agreed to.

The Bill was then read a third time, and passed.

OTAGO HUNDREDS BILL.

This Bill was considered in Committee, reported without amendment, read a third time, and passed.

HARBOUR BOARDS BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that its object was to enable local boards to be formed for the management of matters connected with the various harbours of the Colony. Power was given to the Provincial Legislatures to provide for the constitution of the boards. The boards were either to be elected, or appointed in some other way, at the discretion of the Provincial Councils. The first four clauses made provision for the election or appointment of the members of these boards. Clause 5 defined the mode in which contracts should be given. Clause 6 gave power to the board to make bye-laws for the regulation of its meetings. Clause 7 provided for the custody and control of the fund. Clause 8 authorized lands to be transferred to the board. Clause 9 allowed the board to take measures for the reclamation of land from the sea, and clause 10 enabled them to lease lands. The powers thus given would be for matters of purely local concern. Any provincial law which was passed on the subject must be reserved for the Governor's assent. The Governor might delegate to the board the powers vested in him by the Marine Board Act. Certain license fees would form part of the revenue of the board, and if any land was reclaimed, its administration would rest with the

municipality. For the County of Westland it was proposed that all the powers in respect to making regulations should be vested in the Governor in Council. It was the practice in England to have boards for the management of such matters as were dealt with by the Bill. The board would not have power to appoint pilots, or erect beacons, &c., that would still be in the hands of the Governor. It had been considered that the best mode of utilizing the harbour trusts of the Colony would be to vest them in the boards, and as no power to do so existed, this Bill was introduced to provide it. The harbour board would have the same relation to a harbour that a municipal corporation had to a town. The powers proposed to be vested in the board were of no extraordinary character, but were merely for the purpose of utilizing the funds which would be applicable to the improvement of the harbour.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

SUBMARINE ELECTRIC TELEGRAPH BILL.

The Hon. Mr. GISBORNE said that this Bill was to enable the Government to enter into a contract with persons for the construction of a submarine telegraph cable between New Zealand and Australia, and to supplement the communication thus formed by entering into any compact with Great Britain which might promote telegraphic communication between Great Britain, Australia, and this Colony. The terms upon which the telegraphic communication between New Zealand and Australia was to be formed was to allow contractors certain conditions, specified in subsections to clause 3, under which they were to have the exclusive use of the line, provided it was maintained in an efficient state for a period not exceeding twenty-one years. There was no money authorized to be expended under the Bill, except it might be under clause 6, which related to the communication between Great Britain and Australia. It said:—

"The Governor, with the advice of his Executive Council, may, in lieu of entering into any such contract as aforesaid, make and enter into any arrangement with the Government of Great Britain for the construction and completion of a line of telegraphic communication between Great Britain and the Australian colonies and New Zealand, and may in and by such arrangement bind the Government and Colony of New Zealand and the revenues of the Colony in such manner as may be necessary for the purpose of the construction and maintenance of such line of telegraphic communication: Provided always that the Colony of New Zealand shall not under any such arrangement be bound to contribute to any part of the funds to be expended in the construction of such line, or be liable otherwise than to the payment of a proportionate annual sum to be applied in and towards the annual interest upon and redemption money of the cost of construction."

It was unnecessary that he should dwell upon the advantages likely to result from the construction of a telegraphic cable between New Zealand and Australia, to be connected with a line between that colony and England. He thought that a very short time would elapse before the communication between England and Australia would be completed, and it would, of course, be of great benefit to this Colony if afterwards the line from this country were connected with it, so that we should have a direct line extending from New Zealand to Great Britain.

The Hon. Dr. BUCHANAN asked what the probable cost of the line would be.

The Hon. Mr. GISBORNE said that they had nothing to do with the cost of construction under the Bill. The country would not be subjected to any cost. A concession would be made to the contractor of having the exclusive use of the line for a certain period, on condition that he fulfilled the terms specified in the Bill. It was not proposed that there should be any money expended under the Act.

The Hon. Mr. WATERHOUSE did not altogether agree with the statement of the Colonial Secretary, that the Bill did not authorize the expenditure of money. It might have been, and no doubt was, the intention of the Government, in introducing the Bill, not to take powers under it of expending money, but the effect of the Bill, to his mind, was altogether different. It did authorize the expenditure of a considerable sum of money for the purposes of the Act. In clause 2 there was the fullest power given for entering into a contract involving a large outlay. It would, under that clause, be competent for the Government to enter into a contract to guarantee a return of 5 or 6 per cent. for any number of years not exceeding twenty-one years. It, doubtless, was not the intention of the Government to incur any expense under the Bill, but it was quite competent to guarantee that amount, and thereby involve the Colony in an expenditure of half a million sterling. At the same time, the Bill would be deprived of its most objectionable feature by the addition of a few words in clause 2, as follows:—"Provided that no contract, involving an actual expenditure on the part of the Government shall be entered into without the consent of the General Assembly." The addition of these words would remove his objections to the Bill. If, by means of the action indicated in the Bill, they could promote a telegraph line from this country to Australia, it would undoubtedly be extremely beneficial. By the addition of the words he had suggested they would get the line completed by simply giving a monopoly of the line for twenty-one years to any one who would lay such a line, and work it efficiently. Unless a monopoly were granted they would have to give a guarantee. Subject to the introduction of the words expressly declaring that the Act did not authorize the outlay of any money, he would agree to the second reading of the Bill; he would otherwise oppose it.

The Hon. Mr. MANTELL hoped the Government would accept the amendment, though, at

the same time, he thought the words scarcely sufficient. There were many reasons why they should pause, at that time, before they contemplated the establishment of an ocean telegraph line. It was manifest to those who were acquainted with the recent improvements in telegraphy, that the time was not far distant when the laying of an ocean telegraph line would be as cheap as that of a land line, and that the cumbrous and expensive cables at present in use would be superseded by those of a lighter and more manageable character. He had heard that in England a general ocean telegraph company had been started, who had chartered the "Great Eastern" for a number of years, not for the purpose of immediately availing themselves of that steamer, but with a view to preventing others from taking advantage of her. He thought it would be a pity to place the Government in a position to expend any money upon a line that might be constructed subsequently under much better and more favourable circumstances. They would be able to get their news from England in six days if the cable were completed to Australia, and, considering that they had at present to wait for it for fifty days, he thought that they would have very little reason to complain. For his part, he was content with the suggestion of the Hon. Mr. Waterhouse, but otherwise he would be for putting the Bill aside. He would certainly vote against the Bill without the amendment.

The Hon. Mr. STOKES was astonished that at a time when they were in want of common roads through the country, and of means to develop and open up the interior—when they found themselves just at the termination of disturbances which had seriously affected the prosperity of the Colony, and had given it a blow from which it would not recover for years—such a proposition as that contained in the Bill should be submitted to them. There were many useful things to be done in the Colony which were more essential to its prosperity than a useless and luxurious piece of extravagance, such as the laying of this submarine cable. They could well afford to postpone the work, not only for that session, but for several sessions, until they were in a better position to afford such a luxury. They had been told by the Hon. the Colonial Secretary that no expenditure would be incurred under the Bill except approved of by the General Assembly. But the word "may" in the Bill would soon become "must," if powers were given to the Government to enter into any contract for the execution of the work. In dealing with such a Bill, it well became the Colony to pause and have regard to its interests and necessities before embarking in an undertaking that was at best only an extravagant luxury. For those reasons he would vote against the second reading.

The Hon. Colonel RUSSELL differed somewhat from the last speaker as to the cable being an extravagant luxury. The honorable member appeared to have forgotten that they were to have a luxury which cost them nothing, and, for his part, he was content to be luxurious upon

such terms. He agreed that they were not in a position to pay for the construction of a submarine cable, but if it could be carried out without cost to the Colony, he thought that they should rather rejoice at such an opportunity being afforded them. To him it was a subject of felicitation that they should have gentlemen in the Government who possessed such enlarged and enlightened views. He gave the Government the highest credit for the subjects which they had brought before them. They might, however, require some little curb, and he would be glad to assist in applying it where the Legislature found it necessary. He agreed with the amendment of the Hon. Mr. Waterhouse. It was most desirable that they should leave nothing to chance. If they could succeed in inducing any one to take up the contract on the terms mentioned in the Bill, it would be of great advantage to the country. He did not believe that, though they would give a monopoly to a contractor or company, the charges would be extortionate, because they would soon see, as in other places, that they would only defeat their object by adopting such a course.

The Hon. Colonel WHITMORE, C.M.G., thought that there would be no danger of the Government expending any money under the provisions of the Act if clause 6 were expunged. He thought that the completion of the line from England to Australia was not so imminent as that the Bill could not stand over until next session. It would be quite proper for the Government to adopt that course. The other portions of the Bill he considered unobjectionable. He agreed with Colonel Russell as to a company not being likely, in the event of their obtaining a monopoly, to make charges that would result in becoming prohibitory. In order to make their enterprise successful and remunerative, they would bring down their charges on the penny post principle. As to the gentlemen in the Government displaying any particular enlightenment by the introduction of that or any other measure, he thought that, having regard to the efforts made by former Governments in the same direction, they would be blind to their duty not to take some such step as that proposed in the Bill before them. He would, however, like to know if there was any truth in the rumours to the effect that the Colonial Treasurer and the Cabinet were determined that there should be no telegraphic communication with Tasmania from this country. As far as he understood, that was the most favourable direction that could be taken for the purpose of constructing a line. He would vote for the second reading of the Bill if clause 6 were omitted, but as to the amendment, he did not think that the Imperial Government would enter into an arrangement with this Colony respecting any undertaking that did not involve an outlay of some money on our part.

The Hon. Mr. WATERHOUSE said that the amendment only applied to clause 2.

The Hon. Colonel WHITMORE, C.M.G., could not see how the Government of this country could really lay out money under the Bill if clause 6

were omitted. The Governor in Council certainly had power under that clause to incur responsibility, and though the Governor in Council might act in a very enlightened manner, he thought it was desirable, and in accordance with constitutional practice, that he should be restrained by votes of Parliament.

The Hon. Mr. SEWELL thought his honorable and gallant friend laboured under an unnecessary alarm in thinking that the Government would expend money under clause 6. It would be seen that they could do nothing without the consent of the General Assembly of New Zealand. It might be asked why anything should be introduced which should be afterwards perfected by an Act of the Assembly; but he thought there was some advantage in giving a provisional power of this kind to the Government, to enable them, should an opportunity arise, to enter into an arrangement to be afterwards approved of by the Assembly. He thought it might, perhaps, be as well to accept the amendment proposed by the Hon. Mr. Waterhouse; although it might seem a little hypercritical on the honorable member's part, yet it was perfectly consistent with the intentions of the Government. The Bill, in reality, only gave power to contract with persons who would construct the line at their own cost. As a matter of fact there was at present a great agitation in England amongst parties who were anxious for the extension of telegraph lines, and he thought it was desirable that the Government should be placed in a position to treat with those persons in case an offer were made to construct a line according to the terms of the Bill. It would meet every purpose for the Government to come down afterwards and obtain the assent of the General Assembly in respect of any contract that might provisionally be entered upon.

The Hon. Colonel KENNY objected to the Bill. In the course of his speech last week, on the Immigration and Public Works Bill, he had alluded to the anxiety that was evinced by the people of this Colony to possess all the luxuries of civilization. He was not aware at that time that they were to have such a Bill as that under discussion presented to them during the present session, but it fully justified what he had then stated. In the Bill before them they were called upon to grant power to deal with the finances of the Colony, which were afterwards to be considered under a more comprehensive form by the Legislature. It was not, in his opinion, a proper course for the Council to take. He hoped that they would not be led into legislating by anticipation, as they were then called upon to do. In passing the Bill before them, he believed that the Council would commit themselves, inasmuch as another measure, which seriously affected their financial position, had not yet been decided.

The Hon. Dr. BUCHANAN said he entirely concurred with the remarks of the honorable gentleman who had last addressed the Council.

The Hon. Mr. PATERSON said that he would support the amendment, for there could be no doubt, if the Government entered into such a contract as it was here proposed to give them

liberty to do, the Legislature would have, of necessity, to fulfil the terms of that contract. He agreed with honorable members that they should be careful about granting permission to enter into an expenditure of this description, which, to say the least, was not of pressing or urgent necessity, whilst there were other measures of an expensive character to be carried out, which it was of the utmost importance to the country to have done at once.

The Hon. Mr. CAMPBELL remarked that he trusted the Bill would not be thrown out, because it would, if passed, confer great advantages, and would not involve the Government in any pecuniary liability.

The Hon. Mr. McLEAN said he was of opinion that it would be advisable to secure the advantage referred to, especially if it could be obtained at the expense of other people, without involving the Colony in any pecuniary liability. A company was, at the present time, proposing to lay a cable to Australia, and it would be of great advantage if they could be induced to lay it through to New Zealand.

The Hon. Mr. HOLMES said he agreed with the remarks which had been made by the honorable gentleman who had last addressed the Council, and he should be prepared to vote for the second reading of the Bill, provided the Bill, if passed, would not involve any outlay.

The Hon. Mr. BONAR said he concurred with the opinions expressed by the Hon. Mr. McLean and the Hon. Mr. Holmes, and he also thought it was important that the Government should have the power sought to be obtained. He believed they would do better than if they went to work single-handed to make a contract. They would at least be much more likely to get the matter carried out on more favourable terms than if they proceeded alone to effect negotiations.

The Hon. Mr. GISBORNE said it was not intended that the part of the Bill which related to the construction and maintenance of a submarine telegraph between New Zealand and Australia should involve any expenditure; and he was willing to accept the proviso proposed by the Hon. Mr. Waterhouse in connection with clause 2. Regarding the rates, it would be seen that, by one of the sub-sections, it would be to the interest of the contractor to take care that the rates charged were not too high. It seemed that some honorable members objected to section 6. That section, however, did not give the Government the power to spend a single shilling, except it was sanctioned by the Assembly. The object was simply to place the Colony on a better footing as regarded the conduct of the negotiations. If the Government were authorized by the Assembly to act in the matter, under certain conditions, with the British Government, they would be in a far better position than if the Government entered into the matter on their own responsibility, and were compelled to say to those with whom they treated, "We will lay the matter before the Assembly." If they proceeded under such a condition they would not be in a much better position than a private individual. There was really no

risk or danger of the power being abused, because the arrangement would be subject to ratification by the Assembly when the proposal should be laid before them. Then, as regarded a breach of contract, if it were stated, when the arrangement was about to be made, that it must be done subject to ratification by the Assembly, there could not possibly be a breach of the agreement, and if it was stated that the agreement must be subject to that condition, nobody could complain afterwards if the Assembly thought proper to say, "We will not recognize the contract." As regarded telegrams being an extravagant luxury, no doubt different persons entertained different ideas as to what were luxuries and what were necessities; and it had often been the case that, after a little practical experience of what were called extravagant luxuries, many people had been very willing, not only to admit that they were necessities, but that they were surprised that, for so many years past, they should have rested contented without them. The telegraph throughout New Zealand might have been considered an expensive luxury some years ago, but he thought there were very few persons who would now say that it was an extravagant luxury, or who would be willing to forego the advantages it conferred. He was sure that if telegraphic communication were established with Australia and England, no one would say in a few years time that it was an extravagant luxury, especially if it was procured by a concession and without the expenditure of any public funds.

Question put, "That this Bill be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	17
Noes	...	...	...	9
Majority for	...	...	...	8

AYES.

Mr. Bonar,	Mr. Pillars,
Mr. Campbell,	Major Richmond, C.B.,
Mr. Chamberlin,	Colonel Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour,
Mr. Holmes,	Mr. C. J. Taylor,
Mr. Lee,	Mr. Waterhouse,
Mr. McLean,	Mr. Williamson.
Mr. Miller,	

NOES.

Dr. Buchanan,	Mr. Paterson,
Mr. Johnston,	Mr. H. R. Russell,
Colonel Kenny,	Mr. Stokes,
Mr. Mantell,	Colonel Whitmore.
Mr. Nurse,	

The Bill was read a second time, considered in Committee, reported with an amendment, which was agreed to, and the Bill read a third time, and passed.

MILITIA BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that it would consolidate into one Act the present Militia Acts, four in number, one of which, the Act of 1865,

was only in force in some parts of the Colony, the other three in force in other parts of the Colony. Instead of leaving it to the Governor to define Militia districts from time to time, the North Island districts were formed in the schedule of the Bill. The only other important alteration was with respect to classification. At present there were distinctions, the first class consisting of unmarried men, or married men without children, but by the Bill it was proposed to make the classification according to age, namely, 1st class, between sixteen and thirty; 2nd class, between thirty and forty; and 3rd class, between forty and fifty-five years of age. Power was also given to commanding officers to impose small fines for breach of discipline, which fines might be summarily recoverable. It had been found necessary to make a provision upon that point. The Bill had been before the Joint Committee, and had not been altered in the other House in any important point, excepting with respect to the districts.

The Hon. Colonel RUSSELL expressed his gratification at the introduction of this Bill, which had been for a long time wanted, and which was a great improvement upon previous Bills. The main provision of the Bill was the appointment of an officer to periodically inspect, and be responsible for, the efficiency of the Militia force. That was adopted by the Select Committee and by the other House, as well as by the Defence Minister, but, from some oversight, it had been omitted in this Bill. He should, when in Committee, propose the insertion of a clause to that effect. There were some minor points with respect to the number of exemptions, which went further than he desired. He really thought that the Bill held out a prospect of our having an efficient Militia, which would be a valuable adjunct to any force which might be called upon to defend the Colony.

The Hon. Colonel WHITMORE, C.M.G., gave the Government credit for having attended to the recommendations of the Committee. Several amendments which had been made in the Bill were improvements. He thought that there were too many exemptions. The classes were differently divided in this new Act, and the distinction of being married men would no longer be a protection from service. The Bill would, he felt assured, be found more workable than any of the Acts at present in force. The districts, as stated in the schedule, were, to his mind, too limited in area. Of course, a Militia force was purely for purposes of local defence, but the limitation of their districts might be carried too far. At present, there were districts round which a man could walk in a day, while others were very badly and inaccurately defined; but that might arise through a clerical error, as it was very easy to make a mistake in Native names. The principle of allowing an officer to punish the men summarily in case of breaches of certain regulations was one that he quite approved of, and he felt sure that it would have the effect of giving the officers more influence over their men, save litigation, and lead to the duties being discharged more efficiently. With regard to the working of the Bill, he believed that

depended greatly upon the Government. Whilst the Government supported the officers in the various parts of the country, and stood between them and the people, the Bill would prove successful in its working. Hitherto, when the Militia were called out, the odium rested on the officers, and the Government had not sufficiently supported them. If the Government carried out the law, the Militia of New Zealand would always be found ready to do their duty. If the present Bill did not prove successful, the fault would rest, not with the men or the officers, but with the Government.

The Hon. Captain FRASER thought that the smallness of the districts would militate against the proper working of the Bill. The officers also were placed upon a footing different from those at home. In Great Britain and Ireland the Militia officers in the upper grades were obliged to have a certain income qualification within the county or district. He did not see any provision made in the Bill for nominating officers, and he thought it would be much more satisfactory if they were selected from their own districts. There was nothing, also, in the Bill giving an exemption from service to article'd clerks, as in England.

The Hon. Colonel RUSSELL thought that great credit was due to the Government for having shown their readiness in perfecting the Bill before them. He considered that the Committee upon the Bill had been too large, and, consequently, unsuitable for the purpose for which they were appointed. Some of the provisions of the Bill, he considered, were rather harsh, but they had been inserted by civilians, who were the best judges of their own affairs. He would recommend honorable members when considering the Bill, particularly those who were not connected with the military profession, to view the Bill in the light of their own judgment, as neither the Select Committee nor the Ministry would be responsible for the introduction of those provisions. He agreed with the remark of the Hon. Colonel Whitmore, that great credit was due to the Government for having introduced the Bill, and it now rested with them to see that it was properly carried out.

The Bill was read a second time, and ordered to be committed on Friday.

UNIVERSITY BILL.

This Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

REPRESENTATION BILL.

This Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

WAIRAU VALLEY ROAD RESERVATION BILL.

The Hon. Mr. SEYMOUR, in moving the second reading of this Bill, stated that it had reference to the main trunk road between the Provinces of Marlborough and Nelson. By the Crown Grants Act of 1866 a period of three years

had been given to the various Provinces to undertake the necessary surveys to lay down lines of roads required for public convenience, and that they should then be gazetted. In most cases in the Province of Marlborough that had been done, but, for some reason, a portion of the road referred to in the Bill was omitted. He believed the reason to have been that a considerable portion of the road had been surveyed by the Province of Nelson, it was laid down on the land but had never been gazetted. It was always supposed, until very recently, that it had been gazetted, and that it was unnecessary to take any further steps under the Act of 1866. Time elapsed, and a case arose in the Province of driving sheep along the road and allowing them to stray into the land contiguous, which resulted in a case being tried in the local court, in the course of which it was elicited that the road had never been completely surveyed or gazetted; therefore, there was no road, and as the time under the Crown Grants Act had lapsed, no provision could be made by which it could be maintained. It had been in use for more than eighteen years, and the object of the Bill now introduced was to obtain an extension of time for one year to enable the survey of the road to be completed and gazetted. No injustice would be done to the owners of property, as there had been a reservation, to the extent of 215 acres, made for the construction of the road through the land. The road was about ten miles in length and sixty-six feet in width. That would only be eighty acres, leaving a considerable balance of property to the purchasers of the land through which the road ran.

The Hon. Colonel RUSSELL was not aware whether there was any one in the Council who represented the owners of the land. He thought it would be rather a hard case to take up so large an extent of land without giving compensation.

The Hon. Captain BAILLIE said that it was not proposed to take the land from any one, inasmuch as the road had been in existence for twenty-five years, and had been driven over by sheep thousands of times. It was an oversight on the part of the late Government of Marlborough to neglect having it surveyed and gazetted. The original grant for the road was 150 acres, but there had been only seven miles surveyed, the other three having been forgotten. It was, therefore, necessary to bring in the Bill before the House, to extend the time to complete the survey of the road and have it gazetted. The Bill was now brought in to give the Superintendent power to lay out a line of road. A case recently came before the Resident Magistrate's Court, and the circumstances were briefly these: Two men had been driving some two or three hundred sheep; one of the men got drunk and the other man was unable to keep his sheep within the limits of the chain road, and the owner of the property, on which it was alleged they strayed, impounded them. The magistrate, however, decided that the road had not been clearly defined, and that he had taken the law into his own hands. The Council, therefore,

were now asked to require the Superintendent to put that line of road on the same footing as other roads, in respect to which Acts had been passed some two or three years since.

The Hon. Mr. SEWELL said he would suggest to his honorable friend opposite the propriety of moving for the appointment of a Select Committee.

The Hon. Mr. LEE said that not the slightest danger would occur from the passing of this Bill. He knew the road which was alluded to, and any one who had travelled in the neighbourhood must also know that the road had been opened for years. It seemed that no act of injustice could be done to the owner of the property, inasmuch as he was allowed, under the regulations, a certain percentage on the purchase of his land for the purpose of making the road. No injustice could be done to him, and it was quite right that the Bill should be allowed to pass.

The Hon. Captain FRASER said he desired to explain that in that part of the country from which he came, three months' notice was given in regard to the making of objections, and he considered that the provision was a proper one.

The Hon. Mr. McLEAN said he was also unable to see, after having considered the objects of the Bill, how any injury could be done to the individual in question.

The Hon. Major RICHMOND, C.B., also remarked that if the Bill were allowed to pass no injustice would be done. The road in question had been a road for a long time past, and the proprietor of the land had received ample allowance in connection with the formation of this and other roads.

The Hon. Mr. SEYMOUR said this was not a matter for compensation. The facts were simply these: 215 acres were reserved for the purpose of making a road, sixty-six feet in width, through and over the said land, and, as far as he could make out, it was a pure matter of chance that it was not done. If a Committee were appointed it would so delay matters that the Bill would not get through both branches of the Legislature during the present session, and at any moment the proprietors of the land could shut up the high road between the two. He had consulted the Hon. Mr. Domett on the matter, and he expressed his concurrence in the introduction of the Bill.

The Hon. Colonel RUSSELL asked whether any person representing the owners of this land knew of the action that was being taken.

The Hon. Mr. SEYMOUR said he was not aware whether the proprietor knew of the action which was being taken in the Council, but he had long ago instructed the Provincial Secretary to write to him on the subject, but he had not received any reply.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

This Bill was read a second time and ordered to be referred to the Waste Lands Committee.

MARRIED WOMEN'S PROPERTY PROTECTION BILL.

On the motion of the Hon. Mr. SEWELL, the amendments made in this Bill by the House of Representatives were agreed to.

The Council adjourned at twelve o'clock midnight.

HOUSE OF REPRESENTATIVES.

Tuesday, 30th August, 1870.

Reports—Public Accounts Committee—Payment of Common Jurors Bill—Sales for Non-payment of Rates Bill—Government Buildings—Case of Rev. T. S. Grace—Bills Discharged—Mohaka and Waikare District Sale Bill—Real Property Bill—Dangerous Goods Bill—Railways Bill—Census Bill—Agricultural Produce Lien Bill—Merchant Ships Officers Examination Bill—Stamp Duties Bill—Savings Banks Bill—Qualification of Electors Bill—Supply.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

REPORTS.

Mr. LUDLAM brought up the report of the Waste Lands Committee on the Wellington Waste Lands Bill, which was ordered to be committed next sitting day; on the Westland Waste Lands Bill, which was ordered to be committed next sitting day; on the petition of the inhabitants of the Tuapeka district, which was read, and ordered to be printed with the minutes of evidence.

PUBLIC ACCOUNTS COMMITTEE.

Mr. HALL brought up the interim report from the Committee of Public Accounts, which was read, and ordered to lie on the table.

PAYMENT OF COMMON JURORS BILL.

Mr. HALL brought up the report of the managers appointed to confer with the Legislative Council on the amendments of that body in the Payment of Common Jurors Bill.

The report was read, and the amendments as agreed to with the Legislative Council were adopted.

A message was also received from the Legislative Council stating that they had agreed to the amendments submitted to the conference between the two Houses on this Act.

SALES FOR NON-PAYMENT OF RATES BILL.

Mr. VOGEL brought up the reasons of the Committee for disagreeing with the amendments of the Legislative Council in this Bill.

The reasons were agreed to.

GOVERNMENT BUILDINGS.

Mr. MACANDREW asked, Whether the Government intend to take any action during the present session, towards giving effect to the report of the Public Buildings Committee?

Mr. VOGEL said he would be sorry to give to honorable members any answer that might at

all convey to their minds a sense of security about proceedings in which they were interested, to induce them to leave Wellington before the session was over. He fancied that some honorable members, who had a particular desire to take part in this or that proceeding, were anxious to know what course would be taken with regard to the matters in which they were interested, and, if they considered them safe, would leave Wellington before the session was over. He could not encourage anything of that kind. In this case he was prepared to give an answer; but he trusted that, if other questions were put in this way, honorable members would not consider it discourteous on the part of the Government if they declined to give assurances which would induce honorable members to leave Wellington before the session was over. The Government did not propose to take any action in reference to the report of the Public Buildings Committee this session. The provision which the Committee asked the House to make was so large, that the Government were not prepared to take the responsibility of asking the House to provide such an amount this session. At the same time, it was quite patent that something must be done in the way of providing increased accommodation for the Government offices. At present the accommodation was very insufficient, and a large amount was paid for rent of different buildings in the town in consequence of that insufficiency of accommodation. It was also necessary that they should put the buildings in a state of sufficient security. He proposed to place on the supplementary estimates the sum of £6,000 for the purpose of making the repairs necessary to the existing building, and for additional accommodation. The opinion of the Government was that, without prejudice to the report of the Committee, additional offices might be put up, which would, hereafter, be found useful for the public service. The Government conceived that the added building might be joined to or separate from, but should certainly be near to, the present buildings, and that such repairs might be effected to the existing buildings as would make them tolerably safe. There were no plans prepared, and the Government had no data to give honorable members as to whether the amount mentioned would be sufficient or not. It was merely put down as the probable amount that might be required during the year. Honorable members would have an opportunity of discussing the question on the supplementary estimates.

CASE OF REV. T. S. GRACE.

Colonel HAULTAIN asked the Premier, Whether, as suggested by the Public Petitions Committee, in their report of the 26th instant, the Government have decided on the course which ought to be adopted in the case of the Rev. T. S. Grace. He believed the merits of the case were fully entered into in the report of the Public Petitions Committee which was presented to the House last week. He might briefly state that Mr. Grace was compelled to leave his residence

at Taupo in 1863, when his house and all his property were destroyed by hostile Natives. As he was not able to proceed to Taupo, subsequently, to ascertain the amount of damage which he had sustained, he could not bring his case before the Compensation Commissioners till August 1867. It was in September, 1867, that the resolution referring to those claims was passed by the House; but it appeared that the Commissioner at Auckland, seeing that this matter had been referred prior to the passing of that resolution, investigated the claim and awarded a certain amount as compensation to Mr. Grace. That was again referred to the Public Petitions Committee, who recommended that, under the special circumstances, the Government should decide what course should be taken. He would ask whether the Government had come to any conclusion on the subject.

Mr. FOX said that the Government had come to no decision in the matter, because they wished to be guided by the decision at which the Committee should arrive. The Committee, however, had left the matter where it was before. The point to be decided was, whether the case of Mr. Grace came within the terms of the resolution passed by the House. The Committee, having left the matter in the same unsatisfactory state as it was in before, the Government could not decide the matter without some decision of the House on the subject. If the door were once opened in that direction, and that resolution were in any way relaxed, the application would be followed by many others. There were two other cases of a similar character, one of them a very large one, the case of the Waitotara settlers, who were excluded for the very same reason. The Committee recommended that they should be excluded, and for the same reason. What then could the Government do? There was the resolution of this House, which had been referred to on twenty different occasions. Mr. Grace's case was an exceptional one. It was referred to a Committee, but the Committee gave no sign, and left the Government without direction. He was sorry that it was so, but as he was advised at the present moment, the Government did not see their way to do anything further in the matter.

BILLS DISCHARGED.

On the motion of Mr. McLEAN, the orders of the day for the second reading of the following Bills were discharged:—The Wairoa Lands Bill and the Poverty Bay Crown Grants Bill.

MOHAKA AND WAIKARE DISTRICT SALE BILL.

Mr. McLEAN, in moving the second reading of this Bill, said its object was to give a legal title to certain friendly Natives and others to a block of land situated in the Province of Hawke's Bay, between Petane and Waikare, which was confiscated under the Act of 1863; and legal effect was required to be given to the agreement which was entered into on the 13th June last, with a view of finally settling that question. The object was to get rid of all those old questions, and to have them placed upon some

reliable basis. The necessary surveys had been made and portions of the land had been assigned to certain Natives, with restrictions as to their alienation, and the object of the present Bill was to give effect to those agreements, and to dispose of the difficulties arising out of the confiscations, which had been standing over for the last few years.

The Bill was read a second time, and ordered to be committed next sitting day.

REAL PROPERTY BILL

This Bill was recommittees for the purpose of reconsidering certain clauses, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

DANGEROUS GOODS BILL.

The SPEAKER announced that he had received a message from the Legislative Council intimating that they had passed this Bill with an amendment, in which they requested the concurrence of the House.

The amendment was ordered to be considered next sitting day.

RAILWAYS BILL.

The resolutions adopted in Committee of Ways and Means, providing for the construction of railways, were reported, and agreed to.

Leave was given to bring in the Railways Bill. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

CENSUS BILL.

Mr. VOGEL, in moving the second reading of this Bill, said its object was to enable the census of agricultural statistics and the ordinary census to be taken at the same time, and, in case it were found desirable to allow of the census being postponed until early next year, to enable it to be so postponed. A proposition had been made by the Home Government, to the effect that it was desirable to take a census all over the empire in 1871. A postponement of the census would be desirable, if the day fixed were early in the year.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

AGRICULTURAL PRODUCE LIEN BILL.

This Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

MERCHANT SHIPS OFFICERS EXAMINATION BILL.

Mr. VOGEL, in moving the second reading of this Bill, stated that its object was to carry out the provisions of the Merchant Shipping Act, to enable boards to be established in the Colony for the purpose of examining merchant ships' officers and giving them certificates which would be recognized throughout the empire.

The Bill was read a second time, considered in

Committee, reported without amendment, read a third time, and passed.

STAMP DUTIES BILL.

Mr. VOGEL, in moving the second reading of this Bill, said that its object was to afford increased facilities by enabling persons to make use of adhesive stamps. Inquiries had been addressed to the Government from various quarters whether it would do much injury to the revenue to return to the use of adhesive stamps on bills of exchange. There was no doubt that the use of impressed stamps was productive of very great inconvenience. After much thought, a very ingenious suggestion had been made by Mr. Batkin, paymaster-general and secretary of the stamp department, that Bills might be stamped by the use of the adhesive stamp, but that it should be necessary for the acceptors to write part of their signature over the stamp and part over the paper on both sides, failing which the bill would be invalid. A clause to that effect was being prepared, and he was glad to think that, without the revenue suffering, they would be able to afford such a convenience to persons engaged in business throughout the Colony.

The Bill was read a second time, and considered in Committee. Progress was made and reported, and leave given to sit again next sitting day.

SAVINGS BANKS BILL.

On the motion of Mr. VOGEL, this Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

QUALIFICATION OF ELECTORS BILL.

Mr. VOGEL, in moving the second reading of this Bill, said it had already been explained by the Premier. It was in effect a declaratory Act to remove doubts which had arisen as to the exact nature of the qualification of electors, and in some cases as to the qualification of members. It was, at the same time, thought desirable to insert a clause to make clear very involved questions with regard to the position of electors holding miners' rights. It was provided that the holder of a miner's right in any Province should have a vote within the electoral district in which that right was issued, provided it was held for six months. The miners' rights would be stamped, so that they could not be used for the purpose of voting in another district within the period of six months, and miners could not vote by virtue of the miners' right in any district in which they held another qualification. They could only hold one franchise in any Province under the miner's right. The Bill made that point clear, so as to prevent the fraudulent use of the miner's right. There was another clause of importance to miners, which provided that a person qualified to vote, as the holder of a miner's right, was eligible to be a candidate for election to the House of Assembly and to the Provincial Council of the Province within which the miner's right was issued.

Mr. HALL had not seen the Bill, and he wished

to know whether the effect of the Bill was to allow a miner to vote at an election for any district in the Province in which his miner's right had been issued. If that were the case, miners might vote in Dunedin by virtue of miners' rights issued on the gold fields. He did not think that would be a proper exercise of a miner's vote.

Mr. VOGEL said if there were no special gold fields districts established, then the right to vote in any part of the Province belonged to the holder of a miner's right. He could not vote in different districts, and could not exercise the same franchise more than once in six months. If the Bill were read a second time, he would not ask for its committal until next sitting day, in order that honorable members might have an opportunity of considering its provisions.

Mr. DIGNAN would support the Bill if the exercise of the franchise by virtue of miners' rights was confined to districts within the proclaimed gold fields. It would not be doing justice in the Province of Auckland that those holding miners' rights within a proclaimed gold field should have the right to vote in any of the other districts of the Province by virtue of their miners' rights, nor yet would it be advisable that the holders of miners' rights, having no other qualification, should be eligible for election as candidates for the Provincial Council or House of Representatives, except for the gold field district in which the miner's right was exercisable.

Mr. KYNNEERSLEY said a provision might be inserted in the Bill by which it would be necessary for a miner to reside continuously for two months in the district in which he wished to vote. It would not be fair that miners, who were always represented in that House to be a wandering class of people, should be restricted to vote only in the district in which they took out their miners' rights.

The Bill was read a second time, and ordered to be committed next sitting day.

SUPPLY.

The SPEAKER announced that he had received a message from His Excellency the Governor, transmitting a statement of the unauthorized expenditure for the years 1868-69 and 1869-70; also, supplementary estimates for the financial year 1870-71, and requesting that provision should be made for the same.

The message was referred to the Committee of Supply.

On the motion of Mr. VOGEL, the House went into Committee of Supply.

IN COMMITTEE.

CLASS II.—PUBLIC DEPARTMENTS.

Provincial Charges.

Receiver of Revenue, Westland, £400.

Mr. VOGEL said that this item had been postponed at the instance of the honorable member for Westland South, who had moved that the amount be reduced by £300. Since then, the Government had made arrangements by which

the motion could be acceded to, the office in question having being amalgamated with another, by which means the reduction in the item could be effected.

Item as reduced agreed to.

CLASS IV.—POSTAL, &c., SERVICES.

General Charges.

Conveyance of Mails by sea, £34,500.

Mr. HALL expected that the Postmaster-General would give some explanation as to what the Government proposed to do in respect to the San Francisco mail service. The sum of £15,000 was originally put down for the purpose, but he presumed, after the discussion which had taken place on the motion of the member for Clutha, that some alteration would be made.

Mr. VOGEL said that, in the supplementary estimates, the honorable member would find for the Californian mail service to Otago £9,000, supposing the arrangement to be carried out. There was an additional amount for the Suez route of £2,000, and for the carriage of mails to and from Melbourne, £1,300. He thought the arrangements with respect to the Californian direct mail service could not be made before December or January next.

Mr. HALL wished also to draw attention to the item, Mail Agent, £500, and to ask the Postmaster-General if he intended to pursue the system which prevailed formerly, of appointing officers permanently to discharge the duties of the office. Those duties were of an exceedingly onerous and responsible character, requiring considerable experience for their proper discharge. He would abstain from entering into the change which the honorable member had made in the service, but would content himself with asking if the Postmaster-General proposed to adopt the plan pursued during the existence of the Panama mail service in respect to the appointment of mail agents.

Mr. VOGEL said that the Government had not yet made any permanent appointment to the office of mail agent. For the first two or three voyages there were no mails to be sorted on the return, and therefore it was unnecessary. Now, however, the return mails were becoming heavy, and it would be desirable that officers of experience in post office duties should act as mail agents. It was desirable not always to keep the same agents employed, but to afford to different officers, who were competent to discharge the duties, an opportunity of enjoying a voyage to San Francisco. The Government did not intend to permanently appoint any particular officer to the service. There was another alteration which had been made. The Committee would agree that it was desirable the mail agents should have an independent status; they represented the postal department, and should be independent of any consideration which they might receive from the owners or officers of the ships. He had heard with regret that the practice used to be to allow the mail agents to depend generally upon the owners of the Panama vessels for their grog. He entirely disapproved of that practice; and an allowance

was now made to the agents for refreshments on board the mail vessels.

Mr. HALL said he occupied the position of Postmaster-General during the whole time the Panama steamers were running, and he must say the statement just made had taken him by surprise. If such an arrangement existed, it was a very improper one on the part of Captain Benson and the mail agents. The mail agents were to receive a first-class passage and food, and the company was not to find them in grog; if they wished to indulge in grog it was quite right they should pay for it. He regretted to hear that the honorable gentleman intended to frequently change the mail agents, as the duty to be performed could only be done with expertness, precision, and exactness, by persons of considerable experience. He did not think the officers should be induced to look forward to that duty as a relaxation and change rather than an object of promotion.

Mr. VOGEL was very glad to hear the honorable member state that he was not aware of the arrangement made with the mail agents during the Panama service, and that he considered it to be an improper arrangement.

Mr. GILLIES said that, as having had some experience in the management of the postal department, he could indorse the remarks made by the honorable member for Heathcote as to the exceeding impropriety of having changeable mail agents. It would tend to impair the efficiency of the post office department. They required to have well trained and efficient officers as mail agents.

Mr. VOGEL said they proposed to employ those who had the best knowledge of the postal duties.

Item agreed to.

CLASS VI.—NATIVE EXPENDITURE.

General Contingencies, food, clothing, travelling expenses, medical comforts, &c., in aid of civil list, £5,000.

Mr. GILLIES said this charge seemed to be a very unnecessary one, to a very large extent; it was in addition to the £7,000 already upon the civil list for the Natives. From the returns laid on the table, it would be seen that the £7,000 placed on the civil list had frequently not been expended, and the balance was carried forward as a sort of reserve fund, which could be made use of at the will and pleasure of Ministers. It was high time that such an exceptional mode of dealing with the Natives should be done away with. He hoped the office of Native Minister would not be one of long continuance. So long as the system of dispensing flour, sugar, wine, and other luxuries to the Natives was carried on, so long they need not hope to have any solution of the Native difficulty. In former years, no man had more strongly denounced that system than the Premier. He would move that the item be reduced by the sum of £3,000.

Mr. McLEAN was quite aware that, in matters of expenditure connected with the Natives, the House had frequently resisted and raised objections, but not with the best results. On former

occasions from a false economy they had cut down the Native estimates to such an extent that it was utterly impossible to manage Native affairs, and in following sessions, to remedy this, would vote three times the amount previously required. That was a most changeable, wild, and extravagant policy to adopt. When the Natives were in a transition state from war to tranquillity and peace, an expenditure in the direction indicated was most valuable—more valuable than the expenditure of a quarter of a million annually in war. To object to the small sum of £5,000 for purposes which honorable members must know were necessarily associated with the administration and management of Native affairs was not wise economy on the part of the House. He believed the sum was much too small, and he was only sorry he had not asked for a larger vote; for he considered the House could not more wisely expend money than in maintaining tranquillity throughout the country by making ample provision for Native purposes. The Government had endeavoured to bring down the most economical estimates. There was no part of the country which so much required the expenditure of that money as that which the honorable member for Mongonui represented. For many years there had been in Auckland perfect isolation on the part of the Natives. They never visited the place, and all intercourse with the Europeans was stopped; and now, when the Natives were beginning to open up friendly communication, were we to say to them, "No, we will continue the isolation; when you visit our towns we shall not countenance you." Would it be wise to drive the Maoris into the recesses of the country, there to maintain an unfriendly attitude? He thought not; and when the Government now proposed that a reasonable sum should be voted towards conciliating those people, he hoped the House would see the propriety and justice of voting it. Through the false economy hitherto pursued, the estimates had been increasing year after year. For instance, in the years 1858-59 the expenditure was £11,100; in 1859-60, £17,140; in 1860-61, £17,800; in 1861-62, £25,370; in 1862-63, £53,410; in 1863-64, £52,600; and in 1864-65, £60,290, and this, too, when the same cry for retrenchment was made, but which was found impossible. They had also expended immense sums on war which might have been averted by manifesting a little liberality towards the Natives, and dealing with them in that kindly spirit which they themselves so cheerfully displayed to persons who visited their part of the country. If they dealt in an exclusive spirit towards the Natives, if they had no officers amongst them to administer English law, they would set up a distinctive jurisdiction and nationality of their own and avoid all intercourse with us; and the expenditure that would be entailed by not meeting their small wants and requirements in time, would be considerably more than the very moderate sum now placed on the estimates for that purpose.

Mr. BUNNY said there was a strong feeling in the minds of some honorable members and throughout the country that they should, as far

as possible, put a stop to that hotbed treatment of the Native race, and that they should be treated as British subjects. He should like to know whether the vote would not be trenched upon until after the £7,000 on the civil list had been expended. He thought the item might well be reduced to a certain extent. He thought the Natives themselves would be more satisfied if the Native commissioners and other officers were abolished, as they did a great deal of mischief. The Natives deceived them, and they, in turn, deceived the Government, by false information.

Mr. RICHMOND said that during the last two years the Native estimates had been reduced partly by expending the balance to the credit of the civil list fund. Honorable members might see in this matter the fallacy of the common practice of supposing that they could wash their hands of responsibility for their action. In 1861 the Legislature by special Act appropriated a large sum for several years, for certain Native purposes. The policy was the *runanga* system, or "new institutions." The House—for it was idle to attempt to throw the responsibility entirely on the Government—chose to go into that particular policy, and now nearly the whole of the £7,000 was expended in pensioning off the officers whom the House had established. He agreed with the Native Minister that it would be exceedingly silly and false economy to greatly reduce the votes now. Let it be done gradually. The Native estimates were not so much as they were three or four years ago. It was a great mistake to think that they could, off-hand, make Europeans of the Natives. They were a different race, and it took a great many years to alter their manners, and make them fit to come under our law. That could only be done by dealing with them, to some extent, in the manner of protectors, reconciling them to us by degrees.

Mr. BUNNY was not prepared to agree to anything without due consideration. They were yearly increasing the expenditure on account of the Natives. He did not wish to put a stop to necessary expenditure as regarded the Natives, but he thought the time was come when they should gradually reduce that expenditure, and do away with the flour and sugar policy. He objected to the expenditure incurred in keeping up a staff of mischievous men called Native commissioners. Supposing, for the sake of illustration, that his honorable friend the member for Mongonui or himself were to become Native Minister, where should they get their information from? From these Native commissioners—these Parrises and Booths—who were deceived by the Natives, and then deceived the Government, by false information. He wanted to relieve the Colony from keeping up a mischievous staff that did no good—whose efforts were more likely to keep up agitation and to foment disturbances among the Natives—and he believed it was part of the stock-in-trade of those gentlemen to keep things so.

Mr. RICHMOND said that if the honorable member would only go into figures, and ascertain how many of those dreadfully mischievous agents were employed, he would find that the number

was exceedingly small. The bulk of the officers detailed in the estimates were Maori assessors, police, and messengers. Whether the policy of employing them were wise or foolish he should not then inquire, but it was, at all events, a policy which could not be upset at once; all they could do now was to avoid filling up vacancies as they arose, and thus letting the thing gradually collapse. The Government of which he (Mr. Richmond) was a member expended a portion of the vote for Native contingencies on roads. There were many ways in which money might be spent for the real advantage of the Natives otherwise than in sugar and blankets, which the honorable gentleman disliked so much. They might encourage them by a bonus on their industry, and induce them to improve their own lands. The House did not hesitate to encourage European "native industry" by bonus. There was one tribe in particular which was exceedingly active, and could be made to do almost anything when money was to be earned; he meant the Arawa tribe. He believed that if bonuses were granted for native industries, a great deal might be done with the Natives.

Mr. GILLIES trusted that the Committee would acquit him of any desire to cut down any fair and useful expenditure upon the Natives, and he trusted that they would also acquit him of any desire to do anything to prejudice the relations existing between the two races. That was an amount which had, to a large extent, been expended in the Province of which he was the representative, but it was to the principle he objected. It was impossible to elevate the character of the Natives, or to raise them in the scale of society, by teaching them to depend upon the Government for sugar and flour; that was the surest way to degrade them. They had tried for years the coddling system of food, clothing, travelling expenses, and medical comforts, but it had failed. The main issue was this, that this system of treating the Natives as children ought to be abandoned—that they ought to treat the Natives as men like themselves, and then they might have something like a chance of dealing with them reasonably. If they were to deal with the Natives with any hope of doing them good, of civilizing them and making them better than they were, they should abandon at once and for ever that flour and sugar policy. If they dealt fairly and honorably with the Natives, the Natives would deal fairly and honorably with them. That was the proper mode of dealing with them, and not treating them with flour and sugar, and then robbing them of their lands.

Mr. McLEAN said, with reference to the remarks which fell from the honorable member for Wairarapa, reflecting upon the conduct of certain officers connected with the Native department, that it was poor encouragement to men who devoted so much of their time to the performance of thankless duties—exposing their lives to danger, and preventing outbreaks which, but for them, would scarcely have been prevented by the presence of a strong force. Among the officers referred to by the honorable member, there was

one who had, in the Province of Taranaki, performed many hazardous services at the risk of his life, and who was well known to successive Governments. He could not hear Mr. Parris or any other officer spoken of in that manner without raising his voice against it. They had performed their duty zealously and deserved to be well spoken of by the House, for they had been the means of saving the country thousands of pounds in war expenses. He (Mr. McLean) was not an advocate for flour and sugar, and had spent less in that direction than most Native Ministers; but experience had taught them in New Zealand, as well as in America, that it was much cheaper to feed than to fight people. If that policy had been consistently followed, New Zealand would not have been burdened with the heavy debt which she now had to bear. He thought it would be apparent, even to honorable members from the furthest quarter of the Middle Island, that it would be better to maintain a friendly feeling with the Natives than one of irritation, and thus do away with that apprehension which was felt in the old country, that New Zealand was not a safe place to settle or to make investments in. So long as any irritation existed this idea of insecurity would continue; but much might be done by extending the hand of friendship, and greater consideration, towards the race amongst whom it was our destiny to be settled.

Mr. KELLY regretted to hear the remarks of the honorable member for Wairarapa in reference to Mr. Parris, for if any man in the Colony had been influential for good with the Native race more than another, Mr. Parris was that man. He had given very little flour and sugar in the district over which he presided. He (Mr. Kelly) was among the Natives with that gentleman, and observed on all occasions the singular influence he had over them. This year he persuaded the Natives to allow the Government to construct a road from Patea to Umuroa, and from Stony River to Warea, and by continued intercourse with the Natives in their own districts he had succeeded in persuading them to allow the road to be taken, and it had been taken within a short distance of the whole. It should be taken into consideration that the Maoris were a different race from the Europeans, and had been in arms against them, and did not understand their language, customs, or laws, and were therefore inclined to keep separate; and unless they kept up intercourse with the Natives through persons who understood their manners and customs, and modes of thought, they would in many instances remain isolated.

Mr. GILLIES hoped honorable members would not be misled by the remarks of the Defence Minister to entertain the idea that the reduction of such a vote as that had anything to do with friendly or unfriendly feelings towards the Native race. The Native Minister had put the case well when he said that it was cheaper to feed than to fight men; but the question was, were they to feed men to enable them to fight those who fed them. He had not the slightest idea of treating them in an unfriendly spirit when he proposed to reduce

that vote. It was by treating them as children, and dealing with them on the lollypop system, that the mischief was done, for the moment they did not get their accustomed dole they took up arms. It seemed to him that the Native officers were unable to comprehend that; they had got into a habit of looking upon the Natives, not as men but as children. He would have no objection to leave in the hands of the Native Minister a sufficient sum to enable the great chiefs who visited the capital to live comfortably while in town, but £5,000 was more than necessary for that purpose, and more than the Government would lay out in legitimate expenses of that kind. But it was not more than could be expended by a Government illegitimately on matters of that sort, and for such expenditure a return had not been laid on the table of the House, which had been done once, when he did not think it redounded very much to the credit of the dispensers.

Mr. ROLLESTON did not think that was a fit occasion for discussing the Native policy. The country had determined to place the Native Minister in his present position, and would trust him so long as he was there. It was a very thankless office if a Minister had to come down and fight what was called the Native policy over small departmental details like the one under discussion. He considered the sum of £5,000 a very small one for the purpose for which it was intended. It was absolutely impossible to deal with the Natives at all without showing them hospitality, and that penurious system of grudging such an expenditure as the present was not calculated to have a good effect. They might in the other estimates strike off postal services and telegraph offices without general injury to the Colony, where they had their own peculiar ideas on the subject, but the Native question was one which he hoped the South would not interfere with. It had been cast in their teeth from time to time that the continuance of the Native disturbance had been owing to a desire on the part of the South to curtail the expenditure, and he hoped that none of them on that occasion would lend themselves to restricting the powers which were asked for by the Native Minister in the management of Native affairs. It would be an ungracious act at the present time to do so. If, after having got Native affairs into a state of quiescence, by a paltry economy they caused discontent, they would have themselves to blame for it. It had not been the Native departmental expenditure that had created the war, but because the plain, honest, and fair course alluded to by the honorable member for Mongonui had had to give way to political exigencies. That was what had given rise to the Native difficulties, and not the system of showing hospitality and spending such paltry sums of the nature proposed among a population of from 30,000 to 40,000 people. The House had itself to blame in a great measure for the evils that had arisen. Whenever any question had arisen in the House affecting political interests on the one hand, as compared with the interests of the Natives on the other, they had let the interests

of the Natives go to the wall. Another thing which had interfered with the peace of the country had been the grasping greed of individuals for land.

Mr. BUNNY said the Native Minister and the honorable member for New Plymouth had found fault with his reference to the Native commissioners. He maintained that every member of the Committee had a perfect right, in discussing such an important question as our relations with the Native race, to refer to any class of officers in the employ of the Government, and to mention them by name, in order to show how important it was that they should exactly know not only the position of those officers, but arrive at their influence among the Natives, and form some opinion of the correctness of the reports which they had sent in to the Government. They had only to refer to a report laid upon the table last session or the session before from Commissioner Booth, of his interview with Titokowaru some four or five months prior to his breaking out in open rebellion. The despatch was to the effect that Titokowaru was the most peaceful, harmless, and innocent individual that it was possible to meet. (No.) The words of that despatch were nearly as follows: That Titokowaru had come in and placed his arms at the feet of Commissioner Booth, and that he was about to proceed to the four corners of the Island to secure peace; that, as long as they had Titokowaru on their side, there was no chance of any war. Then it was their duty to see whether they were going to keep up a system which was utterly false in giving the Government of the day the slightest reliable information as regarded the action of the Natives. He did not want to discuss Native policies. He wanted to knock Native policies on the head, and let the Natives alone to make their own way in the world as other men did. They did not want to be led by strings, and compelled to go from one commissioner to another. The Natives laughed at the Government for such an action as that. He had heard an expression used by a Native within the last four months with regard to the Government, to the effect that they were not the fools, but that the Government were the fools. Honorable members had a perfect right to set their faces against expenditure which was mischievous to the country and injurious to the Native race.

Mr. MOORHOUSE said to discuss the Native policy upon such items was a very clumsy way of doing the work. Their business was to discuss the item before them, and to take it for what it meant in the estimates. He was sorry to find the word "rebel" occurring in the estimates, but, however, he supposed the Native race were distributed into subjects and rebels. If they were subjects, they would be simply extending to them the same comforts which they gave to the European race. In the Province of Canterbury, an amount about equal to that under discussion was dispensed in charitable aids upon a population of about the same number as the Native race, and he thought that £5,000 was a very small sum for the purposes for which it was intended. If he might be allowed to go into the question of

policy, he would simply say he indorsed the flour and sugar policy, and always had done. An opinion which he expressed to an officer of the Native department some years ago, and which he still held, was that it was a great pity that the country could not be induced to place in the hands of a competent Native department a quantity of secret service money with which it might purchase the peace of the country, until such time as the Natives—who were, in fact, as mere children in some things—had sufficient power to protect themselves, and join in all the advantages of civilization. The Natives were not children in all respects, they had great fighting power, and they must be kept quiet by an appeal to the softer part of their nature. One guinea in the shape of a present would effect more good than a very large expenditure upon purposes of war. He believed, at the present moment, that if the Native Minister were disposed to do so, he could contract with the Government to keep the Natives in order for £40,000 a year, and sweep away the whole of the demilitarized force, and a great many expensive establishments. That was his conviction, from his knowledge of the honorable gentleman's great experience and intimacy with the character of the Natives. But he supposed that the plan was an unconstitutional one, and therefore impossible. He would cordially support the vote, and, as long as he had the same confidence—which he had to an unbounded degree—in the present administration of Native affairs, he would vote for four times the amount for a similar purpose.

Mr. RUSSELL said the subject of the Native policy had not met, generally speaking, with that favourable consideration among many honorable members of the House which he thought it ought to receive, which he attributed, in a great measure, to their unacquaintance with the subject in many of its details, in fact, to the absence of that personal knowledge of the subject in all its bearings, which could only convince the House of its importance to the future good government of the country and well-being of both races. It could hardly be expected that honorable members coming from the Middle Island, whose experience of Native difficulties and Native usages was necessarily limited should look upon the matter with that amount of interest which it deserved. He would, with the leave of the Committee, state one or two facts with a view of convincing it of the absolute necessity which existed, at the present crisis of the Colony, for making provision for a department through which our relations with the Native race must, in a great measure, for some time to come, be maintained. Honorable members were, no doubt, fully alive to the importance of conducting negotiations in concert with the assistance of the leading chiefs and assessors of various tribes. They had already seen the moral effect produced on turbulent spirits, even among the bush tribes, by the well-timed assistance afforded by the Native forces; and it must be borne in mind that in raising those levies skilful and firm measures were indispensable to their efficiency. But for that organization, and the consequent active

operations of those men, he was bound to say—and he thought he was supported in that opinion by men with any experience of the country and the people—that the country would be in a state of rebellion from one end to the other. He need scarcely refer to the correspondence which had been laid on the table of the House, and would only allude to some reports recently received by the Native Minister from Major Ropata, which would leave no doubt upon the minds of honorable members that there were among the Native race many chiefs of large intellectual capacity, combined with great courage, whose co-operation, in the present position of the country, they could not afford to lose. He trusted, therefore, that the House would mark its appreciation and approval of what had already been done by the present Government in opening up the way to a more friendly intercourse with tribes who had hitherto maintained a sullen demeanour, and that the Native Minister might have the means of obtaining the services of duly qualified officers to carry out the views of the Government. The House had signified its approval of an expenditure for defence purposes of a large sum of money, but he would venture to say that the Native department of the Colony was not in importance less than that of defence; and he now left it in the hands of the House, feeling sure that they would make a liberal provision for this branch of the service, which, under the circumstances of the Colony, and in our present relation with the Maori people, was now much needed.

Mr. LUDLAM said he thought it was the intention of his honorable colleague (Mr. Fitzherbert) to ask that £50 of the sum of £5,000 should be appropriated towards supplying medical comforts to the Natives at the Hutt. At present there was a great deal of sickness amongst them, and they have no means of obtaining medical advice. With regard to the item under consideration, he thought it would be unwise, whatever opinions they might hold with regard to the Native question, to reduce it. He trusted that before long, when the country was opened up, the Native estimates would disappear altogether; but at the present juncture it would be unadvisable to do away with the item, and would be attended with considerable danger. He was not one of those who advocated a flour and sugar policy, but he maintained that, in dealing with all classes of men in the position of Natives, the judicious use of money in the way proposed had a good effect.

Mr. RICHMOND said, in reference to the remarks of the honorable member for Avon, that he admitted as a fact that the House had behaved unjustly in certain particular cases, but when the honorable member said that the Native difficulty was caused by persons having grasped land he was obliged to differ from him. He would remind the honorable member of a fact which he appeared to have forgotten, that the country was studded with Maori war pas long before the Europeans came into the country. The Natives were naturally pugnacious, and did not want any one to teach them to fight. It was natural that they should

be jealous of the growth of the intruding race, but they would have fought and fared the same fate as the Kilkenny cats if the Europeans had not come into the country.

Mr. ROLLESTON explained that the honorable member had mistaken the line of his argument. Native troubles were not attributable to any one cause, and certainly not, as had been argued, to the liberality of the House. He had named some only of the causes for which the House was responsible. He did not dispute that war might have arisen from the pugnacity of the Natives.

Colonel HAULTAIN objected to the tirade made against the Native department. The honorable member for Mongonui and the honorable member for Wairarapa did not appear to possess much information on the subject. They had made statements calculated to mislead honorable members in the Southern Island, who naturally looked to honorable members from the North Island for correct information in reference to the Natives. The statements made by Mr. Booth were statements of facts from which they could judge of what was likely to take place. No mention had been made of the many reports furnished by that gentleman, in which he gave correct information to the Government. The reports of the commissioners were of the utmost importance and value to the Government, and it was only the Government who could understand the exact state of things at the time. He would support the item and would have supported a larger sum had it been asked for. It had been stated that there was a balance of the £7,000 not expended. He saw, by the supplementary estimates, that there was an unauthorized expenditure of £1,974. He should like to know whether the whole of the £7,000 had been expended, and if not, whether the balance could not go against the unauthorized expenditure and not place it on the supplementary estimates.

Mr. McLEAN said the whole of the amount had been expended. The expenditure was very much the same during several years. What had been put on the supplementary estimates was excessive expenditure. The £7,000 had not been applied to any other than Native purposes.

Mr. GILLIES wished to know if, according to the returns laid on the table, the expenditure out of the £7,000 for the last year was £5,311, what became of the balance of £1,700.

Mr. BUNNY wished to make a few remarks in reference to what had fallen from the honorable member for Grey and Bell. He believed that Titokowaru had been deceiving Mr. Booth, and that at the time he was making preparations for war. That rebel Native had thrown dust in the eyes of the man whose business it was to communicate to the Government the real state of affairs. The country was involved in an enormous expenditure on war which might have been prevented had Mr. Booth been out of the way altogether.

Mr. RICHMOND said that when Mr. Booth made his report to the Government he was not under the impression that all things were per-

fectly smooth, nor did he convey that impression to the Government. The Government, after receiving his despatches, did not think there was ground for confidence, although there was some reason for entertaining moderate hope. There was no use in casting blame upon the Native commissioners. The fault had been in the constantly vacillating policy of that Legislature; now inflamed with a passion for war, in the hope to crush discontent among the Natives, and again lulled into false repose, in the hope that by crying "peace, peace," they would make peace.

Mr. McLEAN, in reply to the question put by the honorable member for Mongonui, would state that the savings from the civil list fund up to the present time amounted to £2,893 7s. 11d. That was usually made applicable to the payment of past liabilities.

Colonel HAULTAIN did not see why there should be put down £1,974 on the supplementary estimates when there was a surplus of £2,983.

Mr. HALL thought the debate would be instructive to Middle Island members. Exceedingly different opinions had been expressed, although the debate had been confined to honorable members from the Northern Island. Middle Island members had been told, on the platform and in that House, that they knew no more about Native matters than the man in the moon. This debate had shown what the superior knowledge of members from the North Island in Native affairs amounted to. One-half of them advocated one course of proceeding, and the other half denounced it. There could not be greater diversity of opinion on Native affairs than had been evinced during that discussion by honorable members from the North Island.

Mr. GILLIES had discharged his duty in bringing his views before the House. It would be well sometimes if Middle Island members would not interfere in such debates, holding the balance as they did with such unsteady hands. He wished to know whether the item would cover the money necessary to be expended in providing for the Natives in hospitals and lunatic asylums.

Mr. McLEAN said the sum asked for was not intended to cover the charges for care of Natives in hospitals and lunatic asylums. He might say, as a member for the North Island, that he had never been one of those who, in the slightest degree, objected to the interference of Middle Island members in Native questions. He believed that, being removed from the scene of difficulty, they were able to take a calm and comprehensive view of Native affairs. In the Northern Island they had frequently differences of opinion on Native subjects, and he certainly thought the North Island owed the Middle Island a debt of gratitude, and he should be always glad to hear an expression of opinion from the Middle Island members on Native subjects.

Mr. GILLIES wished to know if he was correct in supposing that it was intended to throw upon the Provincial Governments the expense of maintaining Natives in hospitals and lunatic asylums.

Mr. McLEAN felt that the Provincial Govern-

ments were well able to bear that small amount of responsibility. The Natives contributed to the revenue of the Provinces, and therefore the Provinces were justly entitled to take their fair share of the charge.

Mr. RICHMOND did not see why the balance of £2,893 should not be set down to meet the sum placed on the supplementary estimates. It would be better if the one were written off against the other.

Mr. McLEAN said the same practice had been followed by previous Governments. He quite agreed that it would be desirable that the actual sum should appear upon the estimates, and he should take care that in future estimates that should be done. If any alteration were now to be made, it would interfere with the estimates prepared for the year.

Mr. GILLIES could assure the honorable member that so long as the Natives were being dealt with exceptionally, the Province of Auckland would leave them to the care of the Native department. He would recommend the Native Minister to increase the vote, as the revenue of the Auckland Province would not be spent in maintaining Natives in hospitals and lunatic asylums.

Question put, That the sum of £5,000 be diminished by £3,000.

Amendment negatived; and the item agreed to. Salaries of European and Native Officers, £13,322 5s.

Mr. GILLIES said, before the item was passed, there were one or two questions which he wished to ask the Native Minister. There was £13,322 for salaries for Native officers, and that was exclusive of the persons called civil commissioners. He wished to have it put on record that he objected to the whole system. He observed that many of the officers named in the list were resident magistrates. It was quite right and proper that the Natives should have resident magistrates among them; they had a right, as British subjects, to have them, but he objected to the exceptional manner in which they were appointed. They ought not to be under the power of the Native Minister for the time being; they ought to be judicial and not Native officers. He believed that if they dealt with this Native question not as a Native question at all, but dealt with the Natives as men, and as British subjects, many of the difficulties which they encountered would be avoided. They did not want a separate department, called the Native department, under which the resident magistrates should be placed. They all knew what the Natives said about the civil commissioners. When the name of a civil commissioner was mentioned, one would naturally suppose that the person spoken of would be respected by the Natives, but the contrary was the result; the common reply of the Natives was, "Oh, it is that old woman your are speaking about, is it?" He observed, under the head Kaipara, an item of £127 15s., for an allowance for a boat—and £63 17s. 6d. for boatmen. He wished to ask the Native Minister whether there was a boat connected with the establishment?

Mr. McLEAN.—There is a boat connected with the establishment.

Mr. GILLIES was quite aware that there was a boat there, but it was so very little used that it did not require £190 to keep it up. He was aware that Judge Rogan had a yacht there. It was a very nice little boat, but it was very seldom used, and there they had the item of £190 for keeping it up.

Mr. McLEAN said that the honorable member forgot that the circumstances of the country were different now from what they were formerly; and that this House, of its own accord, created those officers to which the honorable member objected. It would be found that the services of Native officers could not be dispensed with in Native districts. He considered that the peace which existed in the northern part of the country was, in a great degree, owing to the fact that they had efficient Native officers resident there. They must necessarily have officers to administer Native affairs. With reference to the boat and the boats crew, everybody knew that Kaipara was a very dangerous sea, and it was necessary that they should have a good boat there. The officer alluded to had been very successful in the discharge of his duties, and he could not perform them without having a boat and a boat's crew at his command. It was not likely that they were going to send one of the judges of the Land Court in a packet boat. How could he hold his meetings or appointments, in some cases requiring a week's absence at a time? It could not be done without having to pay more for charter and demurrage than the cost of the present boat.

Mr. GILLIES maintained that the boat was not wanted, for the best of all reasons—that it was not used. The fact was, that it was very little used. There was no doubt that the officer in question performed his duties very well, but he did not require the boat; and if he did, he could hire one for the purpose.

Mr. McLEAN feared that the honorable gentleman, during his late tour in the North, had been getting a great deal of information which was not very reliable. He (Mr. McLean) had learned from the officer himself that the boat was a great deal used, not constantly, but to make periodical visits to various parts of Kaipara. He had been informed by Judge Rogan himself that without that boat he could not carry out his duties at Kaipara.

Mr. CARRINGTON happened to know something about that boat. When Judge Rogan was on a visit to his house he (Mr. Carrington) put the question to him, whether the boat was of any use to him, and his answer was that it would be impossible for him to carry on his duties without the boat.

Mr. GILLIES wished to know whether the Native assessor at Wangarei; who had posted up a certain notice signed by himself, stating that he would take no more money from the Pakeha, still remained on the list.

Mr. McLEAN hoped that the Native assessor would not take any more money from the Pakeha

if he had posted up such a notice; but he thought the honorable member's information was again wrong. His (Mr. McLean) information, which was very recent, stated that although there was one chief in the district who was said to be disaffected, the person to whom the honorable member for Mongonui referred was not, and that he believed he had not posted any notice of the kind. He feared that the honorable member, although he had received his information from a generally reliable source, had been in this instance again misinformed.

Mr. GILLIES had received his information from a white man, who saw the notice signed by the assessor himself; but the information of the Government, coming from the Natives, was, of course, superior.

Mr. McLEAN said the information of the Government had been obtained not only from Natives, but from white men also.

Item agreed to.

Native Reserves, £950.

Mr. GILLIES wished to call the attention of the Committee to that item, as he meant to divide the Committee upon it. That was a fresh item for the commissioner for Native reserves, who had formerly been a member of that House. The object of appointing that trustee he could not very well understand, even after looking at that voluminous document which had been placed in the hands of honorable members in connection with that appointment. It was a very curious fact that, when the return was called for of all the correspondence connected with that appointment, the return was not confined to the correspondence but was backed up by a number of maps and other returns to justify what had been done. Among the returns there was no correspondence to show the qualifications of that officer for the post. There ought to be some information in the possession of the Government with regard to the qualifications of Major Heaphy to be the trustee. He thought that the correspondence might have shown that when he was in the service of the Government he had done such things as would not qualify him for the office of trustee, where perfect honor, perfect fairness, and perfect devotion to the Government ought to be the first requisites. He thought it would have been well if that correspondence also had been laid upon the table. But with regard to this appointment, he thought it was very unnecessary, with £13,000 voted for Native officers, besides the civil commissioners. He thought the Native reserves might have been managed without the appointment of this officer. If those officers were employed it would keep them out of mischief, for he understood that many of them had very little to do. If they had been appointed to look after the Native reserves it would have been much better than appointing a gentleman whose services as head of the survey department in the Waikato was not such as the Government had a right to expect from its servant. He admitted that the Native reserves had been mismanaged and neglected, but that did not show the necessity for appointing a special officer to look after them.

He objected to the appointment altogether, and he moved that the item be struck out.

Mr. McLEAN said the necessity for the appointment was very obvious, not only to the present but to former Governments. The necessity for looking after the Native reserves, especially in the Northern Island, was forcing itself on public attention; even in the Province of Wellington, where they were now sitting, a great amount of dissatisfaction had been expressed with reference to those reserves. In some instances they had been appropriated without reference to the persons entitled to them. In the North it was even worse, and it was absolutely necessary that there should be some better administration. In appointing the trustee, the Government selected a gentleman who had been in the public service for many years, who possessed the confidence of those by whom he had been employed, who knew the country well, and had a considerable knowledge of the Native language, and who appeared, in every way, to be well qualified to discharge the duties. He denied that, in bringing down plans and reports, it was at all intended to justify the appointment of the officer; the necessity for the office had been obvious long before the appointment was made, and the Government considered that, as it was necessary, they could not confer it on a better officer. The honorable gentleman had referred to some other correspondence, which he said ought to have been laid on the table. He did not conceive that the Government was called upon to gather up every possible scrap of correspondence which the honorable gentleman might wish to have laid on the table. He had placed on the table all the information which he thought the House required with reference to the appointment of the officer and the duties to be performed, and he considered that that was all that was asked for in the honorable member's motion. It had been asserted by the honorable member that fault had been found with the conduct of the surveys in the Waikato country. He had made inquiries into the accusations alluded to, and he found that the gentleman in question had been carrying on the surveys under great disadvantages during the time the war was going on in the Waikato, when it was exceedingly difficult to get surveyors to go there on any terms to undertake the duty. The officer was authorized by the Government of the day to employ some of those who were working under him in order that the work might be completed with as little delay as possible. He was urged to do so, as the Government were subjected to great expense in maintaining military settlers, whom it was desired to place on their lands as quickly as possible. If there were any discrepancies in the surveys, which he (Mr. McLean) had failed, after inquiry, to discover, they arose through the surveys having been carried on in the face of the enemy, when there was no security for life on the frontiers. With all these disadvantages, Major Heaphy succeeded, in a wonderfully short space of time, in placing a large number of military settlers upon their land, and he had not heard,

up to the present, that the surveys had been found faulty, or that any dispute had arisen on questions of boundaries. He was aware that there were always professional jealousies existing with reference to certain officers in Auckland, and that this gentleman had come in for his share; but, as far as his (Mr. McLean's) knowledge went, he believed Major Heaphy had always borne a high reputation, and for the fulfilment of the duties with which he was now intrusted in connection with the Native Lands Court, he (Mr. McLean) did not know any person so well qualified to discharge the duties. It had been alleged that that officer had not prepared any of the plans. Now he (Mr. McLean) found that he had prepared a great number in addition to those laid on the table, and had compiled plans of surveys in the Province of Wellington and many of the other Provinces, and the House had now, for the first time, an accurate knowledge of the state of the Native reserves in the different parts of the country.

Mr. H. S. HARRISON had been for many years a trustee of Native reserves, and could controvert the assertion of the honorable member for Mongonui. The old system was utterly distasteful to the Natives, and a change had been long necessary. He congratulated the Government on the judgment they had shown in the appointment they had made.

Mr. GILLIES would ask the Native Minister to give the House some definite information in reply to a question which he wished to put to him. He (Mr. Gillies) had spoken of certain correspondence, but that point the honorable member had evaded, and had put it as if he (Mr. Gillies) was finding fault with Major Heaphy's capacities as a surveyor. He would ask the Native Minister whether he had inquired into, and whether he knew it was a fact, or not, that during the time that Major Heaphy was acting on behalf of the Government surveying the Wai-kato country he took on a number of cadets, receiving a promise of a premium for taking them, which premium was to be paid out of the first earnings of those cadets in their contracts; that, taking them in that way, he put them on as chainmen, for which they received wages, while they were supposed to be learning their business sufficiently to take contracts; and then, that he let the contracts to those same individuals, and deducted from their contracts the premium for teaching them their business. Was that the fact or not?

Mr. McLEAN could not state whether what the honorable gentleman had said was a fact or not; but he could state that when Major Heaphy became aware that a complaint had been made, he requested that an inquiry should be instituted. During the long period he had known him he had never heard any accusation brought against Major Heaphy, who had only ceased to be a member of that House since last session. He could say that whatever charges there were, no one was more prepared or more willing to have them inquired into than that officer was himself, and it was entirely owing to press of business that this had not been done.

Mr. RICHMOND supported the Native Minister in the general proposition that some officer especially devoted to the charge of Native reserves was a necessity. The first movement in this behalf was made by himself. About two years ago he (Mr. Richmond) requested the chief judge of the Native Lands Court to draft a Bill for putting the Native reserves throughout the Colony in commission, his object being, not only to see that they were administered carefully, but to remove them from the hasty and careless action of the Government of the day, and even from the action of that House, as far as possible. For several years he had been anxious to have all the information respecting those reserves collected in one view. He found it impossible, notwithstanding many efforts, to get the information together by means of the existing Native officers, as it required some one who would travel about the country, and see the actual condition of the properties. Several applications had been made to the Provincial Government for maps, but notwithstanding those applications, the records were still imperfect, and it was impossible to reduce the management of those reserves to anything like order. Therefore, the late Government were prepared to have made some such appointment as the one under discussion had they remained in office. The duties of the officer would, no doubt, be much more extensive than looking after the existing reserves, and he felt assured that had they had an officer of that kind—a competent man—to supplement the action of the Native Lands Court, a great many hardships and grievances which had arisen, and which were likely to bring future trouble upon them, might have been avoided altogether. He meant to say that there should be an officer charged with the interests of the Natives in the Court, whose duty it should be to watch all their transactions—not only to see that reserves should be set apart in all cases of extensive transactions, but also that the Natives themselves should understand the nature of the transactions they were engaged in. As to the particular appointment, there were circumstances which would have prevented him making any remark upon it had the subject not been raised by the honorable member for Mongonui. The gentleman who held the office was for several years a political opponent of the late Government, and as such he was not likely to have been appointed to it by them. But he was bound to say that the reports he had heard in Auckland, not from one person, but from many—reports which he had no occasion to deal with, because Major Heaphy was not at the time an officer of the Government—justified and corroborated what the honorable member for Mongonui had just stated. The office of the head of a large survey department was an absolute trust,—there was no position in which a man could be placed which was more completely a matter of trust than that, and any officer who failed morally in such a trust must be condemned as unfit for any other of a high character. He should never have referred to that subject but for

the circumstances which had been referred to by the honorable member for Mongonui, but the question having been raised it was of course due, not only to Major Heaphy but to the Government and the House, that the matter should be thoroughly examined. It was now out of the hands of any individual, and such things had been said by the honorable member for Mongonui as to make it absolutely necessary that a full, formal, and public inquiry should be made to justify the Government and the House in maintaining that officer in the position in which he was. He did not pretend to have any further opinion in the matter. If Major Heaphy had been an officer of the Government at the time he (Mr. Richmond) heard the report in Auckland, he would of course have made inquiries then, but it was not his business to inquire into it at that time, nor had he thought it his business to bear any tales about it.

Mr. FOX said the proper manner for the honorable member to have raised the question which he had raised was, when the correspondence had been laid on the table of the House, to have moved that it be referred to a Select Committee, with power to call for persons and papers. At that period of the session Major Heaphy was in Wellington, and could have been called before the Committee, when the whole matter might have been inquired into. Now, the honorable member did not come forward boldly and make charges against Major Heaphy and hold himself responsible for them; he merely asked the Native Minister whether he had heard such-and-such a thing of Major Heaphy. A great many things were heard about many people, and he did not think it was fair to base the debate on the assumption that the charges had any foundation at all; they had in that House no foundation whatever. The honorable member had not even asserted the facts, but insinuated them in an interrogatory to the Native Minister. That was not a fair way to put it, and he challenged the honorable member to take some other course. It was not fair to say to his honorable colleague that he was bound to investigate the case, as no charges had been made; there was nothing more than a mere intimation of a scandal against a public officer. He had heard some remarks with regard to the terms on which Major Heaphy was executing some surveys in the Waikato, and certain allegations which were made at the time with regard to the practice of taking cadets were satisfactorily explained to the Government. He forgot to what extent they were explained, but it was satisfactorily shown at that time that nothing had been done by Major Heaphy which was not usual in the Government service.

Mr. GILLIES said he did not make the charges by way of insinuation or with the intention of evading the responsibility. He said straightforwardly that the Government had in their possession a statement to the effect of the question he had asked, signed by an officer in their service, making those charges; and he asked why was that statement not laid on the table, and why was an investigation not made in relation to those charges.

Mr. STAFFORD did not agree with the doctrine laid down by the Premier, that the Government were not bound to take notice of statements affecting the character of officers of the Government unless they were made in some other way than that in which they had been made by the honorable member for Mongonui. He could not conceive any statement made more publicly, or which required more ample inquiry, than an accusation against the morality, honor, and trustworthiness of a public officer, made by a member of that House in his place in the House, and he thought it was due to that officer, primarily, and to the character of the public service, that, such a statement having been made, facilities should be given to the officer to clear his character from the accusations. If that were not done, what a miserable position officers of the Government would be in, if members could rise in their places and make statements such as the honorable member for Mongonui had made, and the Ministry for the time being in office did not give them an opportunity of exonerating themselves if it were possible. Upon the question under discussion he offered no opinion—he had no data on which to form an opinion; but he would say that an officer of the Government had, in a private manner, made statements in writing to him very similar in effect to those which had been made by the honorable member for Mongonui. He did not choose to take any action in the matter, because it had unpleasantly happened, on more than one occasion since he had been out of office, that information affecting the conduct of the Government had been given to him which appeared to him to be given with the object of being used in a party manner, and he had refused, invariably, whenever that information came from officers of the Government, to receive it or go into the discussion of the question. The statement in the present case, to which he had alluded, was briefer than the statement of the honorable member for Mongonui, but it certainly went in the same direction. He thought so much had been said that it was only due to Major Heaphy, and to the whole credit of the public service, that a public and formal inquiry should be made.

Mr. MCLEAN said he had already stated that the Government were quite prepared that such an inquiry should take place, and that Major Heaphy had himself solicited that it should be done. He also stated, at the same time, that it was only through press of business, after receiving certain information on the subject, that the inquiry was not instituted. The matter was lost sight of at the time, and he was assured by several persons, also in the Government service, and of pretty high standing, that the reports referred to had been disproved by an inquiry which had taken place, and that Major Heaphy was acquitted of those particular charges with reference to the employment of cadets. As he had just stated, the Government would see that steps were taken to have an inquiry proceeded with.

Mr. ROLLESTON did not propose to enter

into the personal question respecting Major Heaphy. It seemed to him a great pity that the individual merits of officers should be canvassed in the House; but he must say, with regard to what had fallen from the Premier, that he thought the honorable member for Mongonui had acted in a way that he was perfectly justified in doing, and that he deserved the thanks of the House for doing what must have been a very disagreeable duty. It was not a question as to the merits or demerits of the officer—that was a question the Government had to inquire into, and not the House; and when the appointment of an officer to a position of trust came before them, as it did in that case in the estimates, it was then that the conduct of the Government in the appointment of the officer was the question, and the action of the officer himself was incidental to the position the Government placed themselves in by the appointment. Now, it was well known that last session a Bill authorizing the constitution of the office in question passed the Upper House and was thrown out in the House of Representatives, and therefore the Government could not be surprised if the appointment should be challenged. He was quite sure the Government would pursue the question to the end. He believed that the peaceful relations with the Natives would depend very largely on a position of that kind being occupied by a man who was entirely removed above all political influence whatever, and therefore it was not unnatural that the fact of a strong political supporter being appointed to the office should challenge remark in the House. He would like to ask the Native Minister, with a view to show him how important the office was, what position the trustee had already placed himself in in relation to those reserves to which the Native Minister had alluded as having passed out of the control of the Natives unfairly. With regard to one particular reserve—that upon which the Mount Cook Barrack stood—which was now used by the Government, that reserve belonged at the present time to Natives, who were not receiving a sixpence for it; and what was the position with regard to the hostelry and other reserves? They wanted a man in the position of Native trustee who was the servant of the House and not the servant of the Government, and who would be a check on the Government itself. With regard to the reserves in the Middle Island, no interference was necessary in the present management. He also thought that in the Provinces of Wellington and Hawke's Bay all the reserves were perfectly well known and plans properly compiled in the Native office.

Mr. McLEAN admitted there was some force in what the honorable member said with regard to the state of the reserves, but the Government felt the necessity for some administrative action to get the whole of those reserves and all information connected with them obtained, and the reserves properly surveyed and mapped, before proceeding with any legislation in the matter. The Government would not require to interfere much with the reserves in the Middle Island, and had no intention to introduce a measure

this session with reference to the trusteeship, but next year they would be prepared to take some action in the matter, and would, no doubt, be able to carry out the trusts in the Middle Island without much difficulty.

Mr. BARFF would support the vote. For several years the County Council of Westland had been engaged in abortive attempts to obtain the large sums of money due to them for the survey of Native lands, and they might still be engaged in those attempts for an indefinite period had it not been for the appointment of Major Heaphy. Since his appointment the negotiations were being carried to a satisfactory result. So far as his experience went, the appointment of Major Heaphy had given much satisfaction.

Question put, "That the sum of £950 for trustee of Native reserves be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	13
					—
Majority for	...	...	...	...	18
					—

AYES.

Mr. Baigent,	Mr. Mervyn,
Mr. Brandon,	Mr. Mete Kingi,
Mr. Carrington,	Mr. Ormond,
Mr. Creighton,	Mr. O'Rorke,
Mr. Dignan,	Mr. Parker,
Mr. Driver,	Mr. Peacock,
Mr. Edwards,	Mr. Russell,
Mr. Eyes,	Mr. Studholme,
Mr. Fox,	Mr. Tancred,
Mr. H. S. Harrison,	Mr. Tareha,
Mr. W. H. Harrison,	Mr. Taylor,
Mr. Kelly,	Mr. Vogel,
Mr. Macandrew,	Mr. W. Wood.
Mr. Main,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Barff,
Mr. McLean,	Mr. Bunny.

NOES.

Mr. Bradshaw,	Mr. Munro,
Mr. Collins,	Mr. Richmond,
Mr. Curtis,	Mr. Stevens,
Mr. Hall,	Mr. J. C. Wilson, C.B.
Mr. Jollie,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Gillies,
Mr. Ludlam,	Mr. Rolleston.

The item was consequently agreed to.
Native Lands Court, £5,705, agreed to.
Inspector of Survey's Department, £3,627, agreed to.

CLASS VIII.

Defence Office, £1,459 10s., agreed to.
Store Department, £3,557 7s. 3d.

Mr. GILLIES said there was in Auckland a magazine containing a very large amount of ammunition in a very dangerous position.

Mr. McLEAN said a large portion of the powder had been removed from the magazine referred to. The ammunition at present in the magazine was chiefly made up into cartridges and whole packages, and was free from danger; 200 tons of powder had been removed. The

Government would take steps for the removal of the remainder of the powder.

Item agreed to.

Provincial Charges, Auckland, £7,174 15s.

Mr. GILLIES said there were charges included in that item which appeared to him to be unnecessary. There were charges for six different commanding officers, four of them at the rate of £300 a year. These officers were stationed at Auckland, the Thames, Wairoa, Waiuku, and Waikato. This being a provincial charge, he thought that some little attention should be paid to his remonstrance. Within a radius of thirty miles around Auckland, there were no less than three commanding officers where one would be sufficient.

Mr. McLEAN would be happy to pay every attention to the representations of the honorable member, or indeed of any Superintendent of a Province, who ought to have a voice, especially in reference to any provincial charges. With respect to the number of officers referred to, the honorable member was quite correct. The commanding officers at their several posts had recently been called upon to assist in suppressing disturbances, and both officers and men had volunteered, and some had gone to the front. There were always a great number of men in those districts ready to take the field. He believed that if they had not zealous commanding officers in each of those districts they could not get the men to take an interest in the service. One man could not do full justice to the duties which devolved upon a commanding officer in reference to the Militia and Volunteers over a larger district than thirty miles. In the present circumstances of the country, the Imperial troops having been withdrawn, it was necessary to have several commanding officers. With reference to the £300 for the officer commanding at Auckland, he was quite ready to do away with that; but with regard to the officers on the frontier he considered it was necessary to retain them. The officers at Waiuku, Wairoa, and the Thames, were active and attentive to their duties, and had served the country well.

Mr. GILLIES wished to point out that he was not finding fault with any of the officers, but that he thought one would be sufficient and that they did not require three. Waiuku and Wairoa were not outlying but settled districts. The officer in command at Waikato, which was a frontier district, had only £100 a year.

Colonel HAULTAIN said the officer at Waikato was only in the Constabulary force. He thought it would be more desirable to retain the officer in command at Auckland than to retain an officer at Waikato and at Wairoa. Those two places might be put under the command of one officer, and the whole should be put under the command of one officer at Auckland. He would move that the item be reduced by £300.

Amendment agreed to.

Mr. GILLIES inquired why the capitation grant had been increased from £1,493 15s. for 1869 to £4,545 for 1870.

Mr. McLEAN said the Volunteer service required some stimulant. The Government consid-

ered it desirable that the capitation grant should be increased from £1 5s. to £2 10s. It was found that in the Province of Auckland the Volunteer spirit had grown up among the people, and the attendance at drill was very much larger than formerly. The number of Volunteers had increased in all the Provinces, and in the Province of Wellington there had been a large increase lately. A very good spirit, so far as the feeling went, had manifested itself throughout the country, and the Government thought it desirable that it should be encouraged as much as possible. He thought the honorable member would find that the sum put down for the capitation allowance was not more than was required.

Mr. DIGNAN said the opinion of the officers of the Volunteer force in Auckland was, that if a slight increase in the capitation grant were made, it would have the effect of inducing fully a thousand volunteers to enrol.

Colonel HAULTAIN said the capitation allowance was originally fixed at £2 10s., and had been reduced to half that amount some two or three years ago, very much to the detriment of volunteering throughout both Islands. He did not think that the amount of capitation grant that was put down would be more than was necessary. There would be a large increase, especially of cadets, who were now placed on the same footing as other volunteers. The allowance of £2 10s. was no more than was necessary to provide the men with uniform.

Mr. HALL said the reduction of capitation allowance was made when the Government thought it necessary to make every exertion to reduce the expenditure of the Colony within its income.

Item as reduced agreed to.

Taranaki, £621 10s., agreed to.

Hawke's Bay, £1,187 10s., agreed to.

Wellington, £4,919 7s. 6d.

Mr. BUNNY asked the Defence Minister if he would add an amount for forage allowance to the adjutant of the district of the Wairarapa. Adjutants in other districts received forage allowance, and did not do more duty than the adjutant at Wairarapa.

Mr. McLEAN would agree to put an amount on the supplementary estimates.

Item agreed to.

Nelson, £1,475, agreed to.

Canterbury, £2,716 10s.

Mr. CRACROFT WILSON, C.B., was anxious that £30 should be put down for the sergeant of cavalry in Canterbury, who was at present paid for drill instruction of cavalry and cadets by the men themselves.

Mr. McLEAN said the commanding officer had made no report on the subject, but if the honorable gentleman urged it, the Government would have no objection to put a sum on the supplementary estimates.

Item agreed to.

Marlborough, £890.

Mr. EYES intended to propose that this item be struck out altogether. No sum had been voted the two previous years for volunteering purposes in Marlborough, and the item had

been entirely left out from the estimates. The Volunteer movement was quite unnecessary in the Province, and if they wished the money to be expended, the Provincial Council had the power of doing it. In the present state of the Province it was utterly absurd to tax the people with such an expenditure. The present Superintendent, in a memorandum to the Defence Minister, stated it as his opinion that, under existing arrangements, such an appropriation was undesirable—that the General Government expenditure in that Province absorbed the whole of the land fund; but if the proposal of the Colonial Treasurer were adopted, with reference to what he might call the population allowance of £2 a head, a sum of about £250 might be placed as a capitation grant to the volunteers, at the rate of 30s. per head. It was absurd that the Province of Marlborough, in its present impoverished state, and languishing as it was for want of roads and bridges, should be called upon to pay such an amount of money for capitation allowance to volunteers. He would move that the item be struck out, and he hoped the Committee would support him.

Mr. BARFF would support the amendment, as, in the case of Marlborough, the expenditure was entirely unnecessary.

Mr. McLEAN said the Government desired to encourage the Militia and Volunteer movement in all parts of the country, and, as there was a disposition to encourage the movement, he would not like that Marlborough should be an exception. The Superintendent of the Province had stated that, if the capitation allowance were made to Marlborough, he should be glad to see the sum of £200 placed on the estimates. In that Province there were 70 cadets and 327 rifle volunteers. They required some control and some training, and he hoped the representatives of Marlborough would not altogether do away with the Volunteer service in their Province.

Captain KENNY having, on former occasions, supported a capitation grant for Marlborough, could not, with consistency, support the honorable member for Wairau. The Volunteer movement had of late languished, probably for want of the capitation allowance. He thought no real improvement would be effected unless there was a proper system of inspection. Hitherto, the officer who acted as adjutant had done so without any pay, only travelling expenses being allowed him. It was hardly to be expected that that officer would continue to give his services gratis. If the Government granted the capitation allowance, he hoped the Colony would provide for a paid officer to inspect the force and make it efficient.

Colonel HAULTAIN hoped the Government would now see that the Militia and Volunteer charges should be made a colonial charge. He was not surprised at the honorable member for Wairau objecting to so large a portion of the revenue of Marlborough being devoted to volunteers, and he should vote with him. At the same time, if volunteers were to be kept up, it was

absolutely necessary that there should be a commanding officer to inspect them; there must be some supervision if the volunteers were to become efficient.

Mr. EYES quite agreed that the charges should be colonial and not provincial; then the House would investigate more closely the system as it at present existed in the Province of Marlborough. However desirous the Government might be to foster such a service, it was gross injustice to saddle the Province of Marlborough with such an expense. He felt so strongly on the subject that he should oppose the item in every possible manner, and would divide the Committee upon the question.

Question put, that the sum be reduced by £690. Agreed to.

Question put, "That a sum not exceeding £200 be granted to Her Majesty for the purpose of making a capitation grant to the Province of Marlborough," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	12
Majority for	...	...	...	...	11

AYES.

Mr. Carrington,	Mr. Peacock,
Mr. Collins,	Mr. Richmond,
Mr. Creighton,	Mr. Rolleston,
Mr. Driver,	Mr. Stafford,
Colonel Haultain,	Mr. Studholme,
Mr. Kynnersley,	Mr. Tareha,
Mr. Ludlam,	Mr. Vogel,
Mr. McLean,	Mr. Webster,
Mr. Mete Kingi,	Mr. J. C. Wilson, C.B.
Sir D. Monro,	<i>Tellers.</i>
Mr. Ormond,	Captain Kenny,
Mr. O'Rorke,	Mr. O'Neill.

NOES.

Mr. Armstrong,	Mr. H. S. Harrison,
Mr. Barff,	Mr. W. H. Harrison,
Mr. Bradshaw,	Mr. Taylor.
Mr. Bunny,	
Mr. Dignan,	<i>Tellers.</i>
Mr. Gillies,	Mr. Eyes,
Mr. Hall,	Mr. Kerr.

Item as reduced agreed to.

Westland, £1,023 15s.

Mr. W. H. HARRISON moved that this item be reduced by £500. He looked upon the whole of the expenditure on the Volunteer movement in Westland as money thrown away, as it was not at all likely that necessity would arise for the service of the volunteers there.

Mr. HALL seconded the motion. He knew something of the circumstances of the County, and he knew the necessity which was imposed upon the persons charged with the administering the local government of the County for the most rigid economy. There was even more necessity for reduction in Westland than in Marlborough. Westland was about the last place where they could expect the Volunteer system would take deep root. He trusted the Defence Minister

would see his way to accept the proposal of the honorable member for Westland Boroughs.

Mr. O'RORKE hoped that there would be no exceptions made in favour of any district in a question of this kind. The same rigorous rule should be applied throughout the whole Colony—that there should be persons trained up for Militia and Volunteer purposes.

Mr. CREIGHTON said the honorable member for Heathcote must have forgotten the necessity which existed, during the administration of the Government of which he was a member, for transporting an armed force from another part of the Colony to Westland to preserve the peace. He could conceive no district in the Colony which more required to have the spirit of volunteering fostered and promoted than Westland.

Mr. HALL said the late Government never did send any troops from Auckland to Westland. The Ministry did not move the troops from Auckland, and they never got to Westland, but stopped in Wellington. As for the disturbances alluded to by the honorable member, they had been entirely met by special constables.

Mr. McLEAN pointed out the necessity for keeping up the force in an efficient state, and this he was afraid could not be maintained if so serious a reduction were made.

The amendment was agreed to.

Mr. BARFF pointed out that a charge of £109 10s. had been made against the County of Westland which should have been paid by the Province of Nelson, in connection with the payment of an officer connected with the latter Province, and this sum, he considered, should be refunded to Westland.

Mr. McLEAN said he would inquire into the matter.

Item as reduced agreed to.

Otago, £3,271 15s., agreed to.

Southland, £135, agreed to.

SUPPLEMENTARY ESTIMATES.

Armed Constabulary, £100,000.

Mr. McLEAN said that it had been his intention to make a statement to the House with respect to this item, but as papers containing a great deal of information on the subject had been laid upon the table, and as he was prepared to submit any others that might be required, perhaps honorable members, at this late hour, would consider further explanation unnecessary.

Mr. BARFF said he could not allow the item to pass unchallenged. He understood that in the North Island, particularly in Auckland, the members of the Armed Constabulary were employed as common policemen, whereby the Provinces were relieved of a considerable amount of expense. He considered this was unfair to the Middle Island. Ropata and other chiefs had done good service, and he wished that he could say the same of the military forces of the Colony, but he could not find a single instance in which the demilitarized forces had done anything to distinguish themselves. It was not fair that the Middle Island should be called upon to pay for a force which was purely for the benefit of the North

Island, if, indeed it could be said they were a benefit at all, which he, for one, was very much inclined to doubt.

Mr. McLEAN said that the honorable member misapprehended the whole subject. A strong expression of opinion on the part of the House had been given to the effect that the forces should be reorganized, and the Government had accordingly secured the services of a very able officer for that purpose. A great deal had been said about "demilitarization." He did not attach much importance to the term, but he understood it to mean the formation of a force which could move about from place to place without the large commissariat train and expensive appliances which belonged to a regular army. It was alleged that the forces had taken no part in the engagements in the country, but the honorable member might see, by looking at the papers, that they had done so, especially at Taupo, where, in conjunction with our Native allies, they greatly distinguished themselves. They were taking the place of the Imperial troops, by holding posts, besides keeping the frontier of the country. They were a very respectable body of men, and in the Province of Auckland were fulfilling the duties of the constabulary to the satisfaction of the Superintendent. It was the intention to utilize the force in such a manner as not only to provide for necessary warfare, but also to perform civil duties, open up the country by roads and bridges, and build their own redoubts. They were trained by those who understood the subject on the most modern system of military drill. Some 240 of them were now occupying the interior at Taupo, and others were in different parts of the North Island. He was quite satisfied that the honorable member had made the remarks more from ignorance of the subject, or newspaper information, than from the actual facts.

Colonel HAULTAIN could not agree with what the honorable member had stated with regard to the demilitarization, and to his imagining that the mere drill by a drill sergeant would be sufficient to make them soldiers. He did not think that the honorable gentleman had a clear understanding about demilitarization, as he said that he took it to mean doing away with the commissariat which belonged to a regular force. It was upon the commissariat that a force depended, and it was impossible to do without it so long as the force was in the field. He had never heard of the present force building their own redoubts. The late Armed Constabulary had a separate part of the force which had to perform that duty, and also to make roads and bridges in the neighbourhood of their camps. He never would agree with demilitarization in any shape; but he knew that, from the feeling of the House, it was useless to contend against it. He was perfectly satisfied with the estimates. High pay was given, and that was the way to secure good men. He only wished that the late Government had had the same opportunity of giving high pay.

Item agreed to.

Steamer "Luna," £3,500, agreed to.

Miscellaneous, £9,300.

Colonel HAULTAIN would call attention to the fact that a number of Volunteer and Militia charges were proposed to be put upon the £180,000, whereas he had understood the Government to say that they had put it out of their power to charge either of those services upon that amount.

Mr. McLEAN said that it was intended at first to exclude them, but it had been afterwards found desirable to make a change.

Colonel HAULTAIN did not object to any of the items; in fact, he thought that some of them were insufficient. £200 was too little for targets; £1,200 would not be sufficient to replace the ammunition which would be expended during the year; and £100 would be too little for Militia rolls under the new Act.

Mr. RICHMOND was strongly of opinion that a considerable portion of the defence votes should be borne by the consolidated revenue. He desired to say so because the policy of the present session would result in as bad a state of unpreparedness as the Colony found itself in some time ago. Large sums were proposed to be raised, and though only a part of those sums might be obtained, it was certain that the credit of the Colony would be exhausted. If that were the case, they were acting very foolishly in placing the future defence of the Colony upon a loan which would never be raised. They had locked up the ordinary revenue, and in two years' time there would be no means whatever for the defence of the Colony unless they repealed the Payments to Provinces Bill which had lately been passed. They were going on in a profligate policy, and a profligate policy always resulted in ruin. Want of money meant weakness, and the Natives, as well as the colonists, would discover when we became poor and weak. Whilst the Natives knew that we were weak we should not be safe from disturbances.

Mr. McLEAN did not believe the apprehensions or forebodings of the honorable member would be realized. In bringing down a Bill to provide for the defence of the Colony, the object was to extend the expenditure over a period of five years, and he did not believe the slightest doubt or apprehension existed of any difficulty in carrying out the measure. It was the first attempt to make permanent provision for the defence of the Colony. It would give confidence to those persons employed that they would not be suddenly dispensed with, but that their term of service would be extended to any period to which the loan extended. The gloomy anticipations entertained by the honorable member was not generally shared in by the people of the Colony.

Mr. BUNNY said it seemed to be the opinion of the honorable member for Grey and Bell that in two years hence the Colony would have exhausted its credit and be brought to utter ruin. He felt, if the work was wisely and properly planned, that instead of their having lost their credit, they would be in a position to obtain much larger credit than at the present time. The policy of previous Governments had resulted in

bringing the country into its present state of depression. Hitherto they had been nothing but a mere debating society, and no Government had brought forward any measure calculated to benefit the Colony. He hoped there was a brighter day dawning upon this country, through the action which the present Government had taken during the present session.

Mr. HALL said the item now under discussion should not, in accordance with the policy announced by the Colonial Treasurer, be charged against the loan. It was not a vote for extraordinary defence purposes or war expenditure, but for the ordinary departmental expenditure of the country. There was no excuse for placing this item on loan; he would, therefore, ask the Committee to divide upon that item. It was a development of the borrowing policy of the Government which had not been previously revealed to the country. It was an entirely new system, going beyond anything stated in the financial statement.

Mr. McLEAN said there could be no question whatever that every one of the items making up the total sum were for military defence, and it was quite as legitimate an expenditure to be borne on loan as any voted by the House.

Mr. LUDLAM asked if the competition for prizes would take place more than once in the year.

Mr. McLEAN said the Government would draw up fresh regulations, under which those prizes would be granted, with the view of encouraging competitive firing. The regulations would appear in the *Gazette* before the time for the prize firing. The sum named was more than double what had previously been allowed, and he hoped it would be a sufficient inducement to persons to compete for the prizes.

Mr. HALL moved that the item be reduced to £5,300.

Mr. McLEAN hoped the honorable gentleman would not interfere with the estimates, as they had been carefully considered by the Government.

Mr. LUDLAM trusted the Government would see their way to have more than one competitive prize firing in the year.

Mr. TANCRED understood the prizes were not to be confined to the Constabulary, but were open to Militia and Volunteers, and therefore he did not see why the item should be placed under the head of Constabulary. He thought it should be placed under the Militia and Volunteer votes.

Mr. McLEAN said the Constabulary would have to do with some of the items, and although it appeared in the same sheet with constabulary estimates, the items were distinctly stated, and placing them as they were could not make any great difference.

Mr. TANCRED moved that progress be reported, with a view to reconsider the matter.

Colonel HAULTAIN said he intended to vote with the honorable member for Heathcote. He did not see these miscellaneous charges until the vote was moved. It was only half an hour ago he was aware that the charges had been put on the loan. As there was not a full House, and

under the other circumstances of the case, he thought the Minister for Defence should consent to report progress.

Mr. McLEAN said several days had elapsed since a message was brought from the Governor enclosing these estimates, and he had been under the impression that since that time they were in honorable members' pigeon holes.

Question put, "That progress be reported," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	22
Majority against ...					6

AYES.

Mr. Barff,	Mr. Stevens,
Mr. Bradshaw,	Mr. Swan,
Mr. Collins,	Mr. Webster,
Mr. Hall,	Mr. J. C. Wilson, C.B.,
Mr. Kynnersley,	Mr. W. Wood.
Mr. Ludlam,	
Mr. Munro,	<i>Tellers.</i>
Mr. Richmond,	Colonel Haultain,
Mr. Rolleston,	Mr. Tancred.

NOES.

Mr. Bunny,	Mr. Moorhouse,
Mr. Carrington,	Mr. O'Neill,
Mr. Creighton,	Mr. O'Rorke,
Mr. Dignan,	Mr. Peacock,
Mr. Driver,	Mr. Russell,
Mr. Eyes,	Mr. Tareha,
Mr. Gillies,	Mr. Taylor,
Mr. H. S. Harrison,	Mr. Vogel.
Mr. W. H. Harrison,	
Captain Kenny,	<i>Tellers.</i>
Mr. McLean,	Mr. Kelly,
Mr. Mete Kingi,	Mr. Ormond.

The motion was consequently negatived.

Mr. HALL moved that the item be reduced to £5,300.

Question put, "That the item be reduced to £5,300," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	25
Majority against ...					12

AYES.

Mr. Barff,	Mr. Stevens,
Mr. Bradshaw,	Mr. Swan,
Mr. Collins,	Mr. Webster,
Colonel Haultain,	Mr. J. C. Wilson, C.B.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Munro,	Mr. Hall,
Mr. Rolleston,	Mr. Richmond.

NOES.

Mr. Bunny,	Mr. Mete Kingi,
Mr. Carrington,	Mr. Moorhouse,
Mr. Creighton,	Mr. O'Neill,
Mr. Dignan,	Mr. Ormond,
Mr. Driver,	Mr. Russell,
Mr. Eyes,	Mr. Tareha,
Mr. Gillies,	Mr. Taylor,

Mr. H. S. Harrison,
Mr. W. H. Harrison,
Mr. Kelly,
Captain Kenny,
Mr. Ludlam,
Mr. McLean,

Mr. Vogel,
Mr. Williamson,
Mr. W. Wood.
Tellers.
Mr. O'Rorke,
Mr. Peacock.

The amendment was consequently negatived, and the item agreed to.

Contingent Defence, £67,300, agreed to.

The resolutions were reported to the House, and the report ordered to be considered next sitting day.

The House adjourned at twenty minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 31st August, 1870.

Wellington Gas Bill—Reports—Immigration and Public Works Bill—Diseased Cattle Bill—Summary Prosecutions Bill—Order of Business—Wairarapa Town Lands Management Bill—Messages from the House of Representatives.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

The Hon. Mr. JOHNSTON, in moving the adoption of the report of the Committee on this Bill, said he did not know whether he would be in order in calling attention, at the present time, to a provision in clause 6. Honorable members reading clause 6 would recognize that the Committee had introduced what might be fairly called an organic change, by the imposition of restriction on the profits of a joint stock company. If it were competent for him to bring such an alteration under the notice of the Council, he should be glad to do so. He was aware that the privileges of the Committee were large, but it appeared to him that, in giving large privileges to the Committee, it was not contemplated that alterations involving such organic changes should be effected. He would be glad to have the opinion of the Council, as well as of the Speaker, upon what appeared to him a change which materially affected the trade of the country. The operation of clause 6 was to limit the profits of a private company. He did not express an opinion regarding the value or non-value of the alteration, but, if it was desirable, it should have been introduced to and accepted by both Houses of Parliament, and not by a Committee on a private Bill.

The Hon. the SPEAKER ruled that the proceeding was in strict conformity with the Standing Orders of the Council,

The Hon. Mr. LEE said he presumed it would be competent for any honorable member who did not concur with this particular clause to oppose it on the third reading, or to give his reasons for doing so. He apprehended it did not necessarily follow that because the report of the Committee was brought up it must be agreed to.

The Hon. Mr. WATERHOUSE said he believed such a clause had been omitted in several Bills introduced in this Colony, and no doubt the omission was the result of an oversight. A similar clause had been introduced into several of the Victorian Bills, and it was on referring to English Statutes that he gained the idea which induced him to adopt the course he had pursued in reference to this Bill. It was to be regretted that the principle had not been adopted in regard to other Bills, but that was no reason why the Council should continue in a course which was looked upon as objectionable. He trusted that a similar clause would be introduced into all future gas Bills.

The report of the Committee was adopted.

REPORTS.

The Hon. Mr. GRAY brought up the report of the Select Committee on the School of Mines and Agriculture.

The Hon. Mr. DOMETT brought up the report of the Waste Lands Committee on the Wellington Waste Lands Bill.

The Hon. Mr. CAMPBELL brought up the report of the Select Committee on Sheep Diseases.

IMMIGRATION AND PUBLIC WORKS BILL.

The Hon. Mr. CAMPBELL asked the Hon. the Colonial Secretary, How much money the Government propose to borrow in cash, and the amount of liabilities they propose to incur, between now and the next sitting of Parliament, in respect to immigration and public works generally?

The Hon. Mr. GISBORNE said that the only answer he could give to the honorable gentleman must, to some extent, be indefinite, especially with regard to the question of immigration. He could not speak definitely as to how much would be expended before the end of the financial year on account of immigration, because the Bill provided that there should be spent in connection with immigration such sums as the provincial authorities deemed advisable. With regard to the amendment of the Hon. Mr. Waterhouse, he could only say that, when the matter came on for consideration, the Government would have no objection to restrict the amount to be spent in any one year on immigration, but when the amendment was being considered he should show that it would be almost impossible, from the necessity of the case, to say how much each Province would be able to absorb in regard to immigration. Respecting the question of public works, the contracts to be undertaken, and money to be spent, he might say that, in the first instance, he was not at all certain how much money would be spent for waterworks on the gold fields, but with regard to railways, there was a Bill before the other House which showed it to be the intention of the Government to incur liabilities on account of railways. The Government proposed, shortly, to obtain authority to construct railways between Auckland and Waikato, Blenheim and Picton, and Dunedin and

the Molyneux, on these terms: A guarantee for five years at a minimum rate of interest not exceeding $5\frac{1}{2}$ per cent. on the cost of construction, which was not to exceed, in the case of the line from Auckland to Waikato, the sum of £5,000, and in the line from Dunedin to the Molyneux, £4,000 a mile. In the last case, it was proposed that the Government should have an alternative power to enter into a contract for the construction of that railway at a rate not exceeding £5,000 per mile. It was also proposed that certain portions of the Northern and Southern Railway, in Canterbury, should be contracted for, the total cost not to exceed £200,000. He would read the items:—

“That part of the Great Northern Railway, in the Province of Canterbury, between Addington Station and the town of Rangiora, at a point to be fixed by the Governor, any sum or sums not exceeding ninety-two thousand pounds sterling.

“That portion of the Great Southern Railway, in the Province of Canterbury, which lies between the present terminus of the line now in operation and the bridge now in course of construction by the Provincial Government over the river Rakaia, any sum or sums not exceeding forty-eight thousand pounds sterling.

“That portion of the southern trunk line between the town of Timaru and Temuka, any sum or sums not exceeding sixty thousand pounds sterling.”

It was also proposed to enter into a contract for the construction of a railway bridge across the Waitaki, at a cost not exceeding £35,000. Any provision in land which had been made by previous Acts would be taken as an asset towards the cost of that work. The Waitaki Bridge would join the two ends of the railway. It was proposed that the railway between Nelson and Cobden should be paid for in grants of land, with the exception of about twenty-three miles between Nelson and Foxhill, which would be paid for by a guarantee, for thirty-five years, of a rate of interest not exceeding $5\frac{1}{2}$ per cent., and at a cost of construction not exceeding £3,000 a mile. Those were the works for the construction of which, during the present year, authority was to be asked. It was proposed to ask for authority to incur the cost of surveys and other investigations with respect to the following lines, authority for the construction of which would be asked for in the next session:—From Invercargill to the Mataura; from Moe-raki to the Waitaki; from Wellington to Seventy-Mile Bush, thence diverging east and west to Napier and to New Plymouth. In order to avoid any delay in proceeding with the construction of these last-named lines, it was proposed by the Government to ask the authority of the Assembly to expend a sum not exceeding £25,000 for the importation of the necessary railway plant. Of course, if the Assembly refused to authorize the construction of those lines, the plant would be available for other lines.

DISEASED CATTLE BILL.

The Hon. Mr. SEWELL, in moving for leave to bring in a Bill to amend “The Diseased Cattle

Act Amendment Act, 1865," said that Act contained a provision with regard to the delegation of authority by the Governor to the Superintendent. Under that delegated authority, the Superintendent had power to make regulations, which should only be in force for a period not exceeding three months from the day of publication, unless the assent of the Governor should have been obtained in writing. The notification of the Governor's assent had been given to those regulations in the ordinary form, and had been published in the *Gazette*, but the provision for the signification of such consent to the Superintendent in writing, and the publication in the Provincial *Gazette*, had not been complied with. The Bill proposed to remove what had been found to be a superfluous and unnecessary provision, and a clause would be introduced to provide that no proceedings which might be pending at the time of the passing of the Bill should be interfered with.

The Hon. Mr. ROBINSON said that it seemed as if the time of the Council was to be taken up in amending Validation Bills. The general reply to such proposals had been that there was no necessity for validation, as the people could seek redress in the Supreme Court. This Bill would deprive all individuals who had suffered in matters to which it referred, from obtaining that redress.

The Hon. Mr. HOLMES said that if there were any necessity for the Bill he should not oppose it at this stage, but it was well known that the type of pleuro-pneumonia was very different here to what it was in the home country, as it had worn itself out; and, therefore, as there was no disease in the Colony, there was no necessity for the Bill. He held that it was very impolitic to allow any powers to be delegated to the Superintendents, on account of the provincial jealousies which existed. It was now proposed to legalize Acts which were illegal from the commencement. He would oppose the Bill at every stage.

The Hon. Mr. LEE thought that it was very inconvenient to discuss the principles of the Bill before it was in the hands of honorable members.

The Hon. Captain FRASER said that it was wasting time to introduce the Bill, as it was impossible to consider it until the voluminous correspondence which had taken place on the subject was before the Council.

The Hon. the SPEAKER said that it was very unusual to refuse permission to bring in a Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

SUMMARY PROSECUTIONS BILL.

The Hon. Mr. SEWELL moved, For leave to introduce a Bill intituled "An Act to permit Summary Prosecutions to be instituted in certain cases without regard to the period which has elapsed since the commission of the offence."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

ORDER OF BUSINESS.

On the motion of the Hon. Mr. GISBORNE,

it was ordered, That, after this day, Government business shall take precedence over other business every usual sitting day except Wednesday.

WAIRARAPA TOWN LANDS MANAGEMENT BILL.

On the motion of the Hon. Mr. JOHNSTON, it was ordered, That the Wairarapa Town Lands Management Bill be this day further considered in Committee.

IMMIGRATION AND PUBLIC WORKS BILL.

The Council went into Committee upon this Bill.

Clause 7.

The Hon. Mr. ROBINSON moved as an amendment that all words after the word "Governor," be omitted, with a view to insert the following words: "shall cause such inquiries reports and topographical surveys to be made as may be necessary to ascertain and determine the main trunk lines which he may consider necessary and sufficient for the purposes of this Act, and shall cause such reports and the plans and maps of such surveys and system of main lines of railway to be laid before the General Assembly within days of the opening of the next session, together with a Bill for defining and determining such system of main lines of railway; and no railways shall be constructed out of moneys raised or under guarantees given in conformity with the provisions of this Act, except such railways as may form such system of main lines, and no expenditure or liabilities shall be incurred hereunder for railways except such sums as may be appropriated to carry out the requirements of this section and of section 10 of this Act."

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	15
Majority against ...					4

AYES.

Captain Baillie,	Mr. Sewell,
Mr. Campbell,	Mr. Seymour,
Mr. Chamberlin,	Mr. Waterhouse,
Captain Fraser,	Mr. Wigley,
Mr. Gisborne,	Mr. Williamson.
Mr. McLean,	

NOES.

Mr. Bonar,	Mr. Nurse,
Dr. Buchanan,	Mr. Paterson,
Dr. Grace,	Mr. Robinson,
Mr. Holmes,	Colonel Russell,
Mr. Johnston,	Mr. Stokes,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. Mantell,	Colonel Whitmore.
Mr. Miller,	

PAIRS.

For,	Against,
Mr. Lee,	Mr. Menzies,
Mr. Hawdon,	Mr. H. R. Russell.
The motion was consequently agreed to.	

The Hon. Mr. HOLMES moved that the following words be added to the amendment, "except such lines as may be agreed upon during the present session of Parliament."

The Hon. Mr. CAMPBELL moved, "That the Chairman do report progress, and ask leave to sit again," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	12
Noes	...	...	...	...	17

Majority against	...	...	...	5
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AYES.

Captain Baillie,	Major Richardson,
Dr. Buchanan,	Mr. Sewell,
Mr. Campbell,	Mr. Seymour,
Mr. Chamberlin,	Mr. J. P. Taylor,
Captain Fraser,	Mr. Wigley,
Mr. Gisborne,	Mr. Williamson.

NOES.

Mr. Bonar,	Mr. Paterson,
Dr. Grace,	Mr. Robinson,
Mr. Holmes,	Colonel Russell,
Mr. Johnston,	Mr. H. R. Russell,
Colonel Kenny,	Mr. Stokes,
Mr. Mantell,	Mr. C. J. Taylor,
Mr. McLean,	Mr. Waterhouse,
Mr. Miller,	Colonel Whitmore.
Mr. Nurse,	

The Hon. Mr. CAMPBELL moved that the word "trunk" in the fourth line of the amendment should be omitted.

Agreed to.

The Hon. Mr. CAMPBELL moved, "That after the words 'and no railways,' the following words be inserted, 'prior to the next meeting of the General Assembly,'" upon which a division was called for, with the following result :—

Ayes	...	...	...	...	10
Noes	...	...	...	...	16

Majority against	...	...	...	6
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AYES.

Captain Baillie,	Mr. Miller,
Mr. Bonar,	Mr. Sewell,
Mr. Campbell,	Mr. Waterhouse,
Captain Fraser,	Mr. Wigley,
Mr. Holmes,	Mr. Williamson.

NOES.

Dr. Buchanan,	Mr. Nurse,
Mr. Chamberlin,	Mr. Paterson,
Mr. Gisborne,	Mr. Robinson,
Dr. Grace,	Colonel Russell,
Mr. Johnston,	Mr. Seymour,
Colonel Kenny,	Mr. Stokes,
Mr. Mantell,	Mr. J. P. Taylor,
Mr. McLean,	Colonel Whitmore.

PAIRS.

For,	Against,
Mr. Menzies,	Mr. Lee,
Mr. H. R. Russell,	Mr. Hawdon.

The amendment was consequently negatived.

The Hon. Mr. HOLMES's amendment was then put, upon which a division was called for, with the following result :—

Ayes	...	...	...	...	7
Noes	...	...	...	...	19

Majority against	...	...	...	12
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AYES.

Captain Baillie,	Mr. Miller,
Mr. Bonar,	Mr. Robinson,
Mr. Campbell,	Colonel Whitmore.
Mr. Holmes,	

NOES.

Dr. Buchanan,	Mr. Paterson,
Mr. Chamberlin,	Colonel Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour,
Dr. Grace,	Mr. Stokes,
Mr. Johnston,	Mr. J. P. Taylor,
Colonel Kenny,	Mr. Waterhouse,
Mr. Mantell,	Mr. Wigley,
Mr. McLean,	Mr. Williamson.
Mr. Nurse,	

PAIRS.

For,	Against,
Mr. Menzies,	Mr. Lee,
Mr. H. R. Russell,	Mr. Hawdon.

The amendment was consequently negatived.

Question put, "That the amendment of the Hon. Mr. Robinson, as amended by the omission of the word 'trunk,' be agreed to," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	13
Noes	...	...	...	...	13

AYES.

Dr. Buchanan,	Mr. Paterson,
Dr. Grace,	Mr. Robinson,
Mr. Holmes,	Colonel Russell,
Mr. Johnston,	Mr. Stokes,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. Mantell,	Colonel Whitmore.
Mr. Nurse,	

NOES.

Captain Baillie,	Mr. Miller,
Mr. Bonar,	Mr. Sewell,
Mr. Campbell,	Mr. Seymour,
Mr. Chamberlin,	Mr. Waterhouse,
Captain Fraser,	Mr. Wigley,
Mr. Gisborne,	Mr. Williamson.
Mr. McLean,	

PAIRS.

For,	Against,
Mr. Menzies,	Mr. Lee,
Mr. H. R. Russell,	Mr. Hawdon.

The Chairman gave his casting vote with the noes.

The amendment was consequently negatived.

Progress was reported, and leave obtained to sit again next sitting day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages :—

The Fire Inspectors Bill and the Traquair and

Stewart Hundreds Bill, which were read a first time, and the second readings fixed for next sitting day.

The Council adjourned at twenty minutes to one o'clock a.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 31st August, 1870.

New Plymouth Harbour Works—Native Title—Water-Rights Bill—Wellington Botanical Garden—Wairau Valley Roads Reservation Bill—Messages from the Legislative Council—Waitotara Settlers—Court of Appeal Bill—*Hansard* Reports—Traquair and Stewart Hundreds Bill—Hawke's Bay Crown Lands Sale Bill—Petition of A. S. Dreyer—Appeals from Provincial Rating Bill—Timaru and Gladstone Board of Works Bill—Unincorporated Boards Suits Bill—Robert Johnson Land Grant Bill—Curators of Intestate Estates Bill—Building and Land Societies Bill—Third Readings—Amendments by the Legislative Council—Railway Gauge Bill—Supply.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

NEW PLYMOUTH HARBOUR WORKS.

Mr. CARRINGTON, in moving the motion standing in his name, wished it to be understood by honorable members that he was not going to ask for a vote of money to carry out any works, but simply for an address to the Governor, asking him to cause surveys and plans to be made, with a view of ascertaining the probable cost of constructing necessary harbour works at New Plymouth. It was a very important work, and the people of Taranaki suffered very seriously through the absence of proper harbour accommodation. The Province of Taranaki, as was well known to honorable members, was a very fertile country, and was 60,000 acres larger than the four counties of Kent, Surrey, Middlesex, and Hereford. When compared with the large Provinces of Auckland, Otago, Canterbury, and Nelson, the size of Taranaki seemed insignificant; but when he told them it was 60,000 acres larger than the four counties he had mentioned, they would consider it of more importance. As an instance of the want of harbour works he would mention that, when the war broke out, the greatest anxiety was felt with regard to the safety of the surf boats, as it was thought the Natives would make an attack and destroy them, and ordinary boats could not land passengers except when the water was very smooth. Had the boats been destroyed on that occasion, the consequences would have been most alarming. The surveys and estimates of the works in question could be furnished at a very small cost, and constructed at an outlay say from £5,000 to £50,000, which would give security to life and property. Now, supposing the fertile country was thirty miles from the sea shore, and there was wild country between it and the harbour, they would think nothing of coming to the House and asking for a railroad at a cost of about three times the amount it would require to construct the works he

asked for; but the fertile land was on the very coast, and because they had hitherto done without the harbour works they were expected to continue to do so still. He could tell the House, from his own professional experience, that if these works were not carried out before fifty years passed by, a larger harbour would be constructed, because there would be a larger population and the Province would be in a more healthy condition, and would then be able to raise the means for constructing a harbour at the Sugar Loaf Islands, where, by nature, a harbour was now more than half made, which would be able to accommodate the "Great Eastern," or any other vessel. If such a work were constructed, it would be fatal to the interests of Wellington, as the geographical position of New Plymouth was the first in New Zealand; three trips could be made to Australia from New Plymouth in the same time in which two could be made from any other port on the East Coast. The rise of the tide, also, at New Plymouth was very important. The rise of the tide there was fourteen feet, at full and change, so that they could construct works at half the cost of similar works in any other part of the Colony, where the rise of the tide was small.

Mr. CREIGHTON had much pleasure in seconding the motion, and he trusted that the Government, during the recess, would be able to have the plans and estimates prepared. If the cost of constructing the harbour works was, as had been mentioned, only £5,000 or £50,000, it would be a cheap colonial work, which the House would do well to undertake, and he trusted the very reasonable request of the honorable member would be complied with.

Motion made, and question proposed, "That, knowing the extent and great fertility of the land in Taranaki, and the difficulties, risks, and losses with which the people have to contend from the want of harbour accommodation, which at moderate cost could be obviated; and, moreover, bearing in mind that the provincial authorities have no control over the waste lands of the Province, or any means whereby they can overcome the difficulties, risks, and losses complained of unless aided by Parliament: Be it resolved by this House, that a respectful address be transmitted to His Excellency the Governor, to the effect that he may be pleased to cause plans and estimates to be prepared, with the view of constructing such harbour works at New Plymouth as shall enable small coasting vessels and steamers of light draught to discharge and take in cargo; and this, with desire that such plans and estimates be submitted to the General Assembly, at its next session, for adoption."—(*Mr. Carrington.*)

Mr. FOX said that the Government were not inclined to agree to the resolution, because it conflicted with the plans which they had successfully carried through the House for the construction of public works, and the fundamental principle of which was that they were to be locally charged. Now, in the present case, the honorable member proposed that the surveys should be paid by the Colony. Honorable members must at once see

that if the Government acceded to a proposition of that sort, they would have a hundred such applications from other parts of the Colony. The honorable member for Clutha had made a motion on the previous day with regard to some docks at Oamaru, which were to be constructed at the expense of the Provincial Government of Otago; but, as they were in conflict with, or in excess of, the propositions of the General Government, the Government were obliged to decline to accede to them. He must confess that, while fully concurring with the honorable member as to the great value of the Taranaki district and its splendid soil, he had an objection to taking, as it were, the Oamaru money to make a Taranaki harbour. The House had not committed itself to any such principle as that. At the same time, the Government would be very glad to do anything it could to assist the provincial authorities in paving the way for the construction of such works, and he trusted the honorable member would not press his motion, but leave it to the Government during the recess to assist him in securing satisfactory surveys.

Mr. MACANDREW said that notwithstanding the great blunder, and he thought the great injustice, which the House had committed with regard to the proposed harbour works at Oamaru, he hoped the Government would not object to acceding to the proposal of the honorable member for New Plymouth, which would not involve any great expense,—which would, in fact, involve very little, if any, actual expenditure of money until next session. He would support the motion.

Mr. BUNNY would certainly support the proposal of the honorable member for Otago. The answer given by the Government showed one of the great blots upon the schemes which they had brought forward. It was that no works should be done, however beneficial they might be to the Colony as a whole, unless the locality in which the works were to be executed was provincially in a position to provide the funds. What did that amount to? It amounted simply to this: That however desirable, in a colonial sense, it might be to settle the Native difficulty, and however desirable it might be to open up most valuable country, if it limited the operations of the large financial schemes of the Middle Island, and unless the Province in which the particular work was to be executed was financially in a position to provide what was called the guarantee fund and the interest and sinking fund, nothing of the sort was to be done. The result would be that those Provinces which could show, on paper, at all events, that they could pay the interest, would receive wealth and prosperity, and greater assistance than those parts of the Colony which would not be in the position to guarantee the interest. He would support the honorable member's resolution, and would support any measure the object of which was to advance the Colony, independent of any provincial difficulty as regarded providing the interest and sinking fund.

Mr. KELLY thought that the Government ought not to object to the resolution, because all that was asked for was that plans should be prepared and laid before the House next session.

That would not be at all expensive, because the Province had already undertaken large surveys in connection with harbour works, and all that would have to be done would be to supplement those surveys, with a view to constructing harbour works of smaller dimensions than those at one time contemplated by the Provincial Government. The highest engineering talent that could be got had been engaged in making the surveys, and the plans were still in existence. When the Provincial Government undertook the surveys, it was thought probable that, at some time or other, a central penal dépôt would be established at Taranaki, and the people of Taranaki, although very averse to having any convict element amongst them, were so desirous of erecting harbour works that they were inclined to overlook that disadvantage. There was no harbour of refuge on the West Coast from Manukau to Wellington, a most inhospitable coast to vessels in rough weather, and there could not be two opinions as to the desirability of the work. He wished to impress upon the House that all that was asked for at present was to supplement the surveys which had been already made, and obtain every information as to the cost of the work before next session.

Mr. ROLLESTON had hoped that, amongst other large proposals, the Government would have submitted during the session a proposition for the formation of a central penal establishment, and, as the honorable member for New Plymouth had said, New Plymouth would be the best position for it, having in view the great facilities for giving labour to prisoners in that place, in connection with the construction of harbour works. He sympathized greatly with the people of New Plymouth, who had stood, in a spirit of patriotism, to that part of the country. He had always looked upon that part of the Colony as being capable of being made the garden of New Zealand, and he would support any comprehensive scheme of colonization that might be brought forward in connection with that part of the country. No greater benefit could accrue to the whole Colony than from some well worked out scheme of colonization for New Plymouth, and these harbour works would be one step in that direction. There appeared to him to be a great fallacy running through the remarks of the honorable member for Wairarapa, in supposing that a colonial policy was opposed to a provincial policy. The Provinces were part of the Colony, and the Colony was only an aggregate of the Provinces. He felt, therefore, that if the Provinces could not pay for those works, it was useless for the Colony to attempt to go on with them. He spoke, knowing the circumstances of what the honorable member had called one of the wealthiest Provinces in the Colony, and which, up to within the last two or three years, had been unable to incur further liabilities. If that were the case with one of the wealthiest Provinces in New Zealand, who was to pay for works which were of a non-productive character.

Mr. BUNNY.—The Colony.

Mr. ROLLESTON thought the honorable member spoke of the Provinces as though they

were not part of the Colony. Whenever any scheme of general utility was brought forward which could be paid for by the Provinces, he would be always prepared to support it.

Mr. RICHMOND said his attention had been called, by the honorable member for Omata, to the fact that he had a small property in the locality which would be greatly benefited by the carrying out of the proposed works, and he had, in consequence, some delicacy in speaking at all upon the subject. He thought that there was a want of logic in the remarks of the honorable member for Avon, for though the Provinces did form the Colony, yet works might be executed in one Province which would be of general advantage to the Colony, but which the Province could not pay for. That was the case with Taranaki. He did not intend to express an opinion whether such a work was practicable. It was sufficient that there were many persons of opinion that such a work was practicable, and that such works had been found practicable in other places. What he would desire to see would be some person appointed who could report authoritatively upon the subject. The ground to be surveyed was small, the trade of the place was rapidly increasing, and there was room for large colonization in the district. The tenacity of the people who had remained firm to Taranaki was not only a sign of patriotism, but that there was something to hold on to. There was no part of the Colony, in an economic sense, that better deserved to be fostered than the promontory of Mount Egmont, and anything the Government would do in the direction, the House and the country need not treat as a wild speculation. He was sure that, out of the large sums the House was about placing in the hands of the Government, the expenditure would be scarcely perceptible in this case.

Mr. FOX said that what he had taken exception to was, not the mere survey of the place, but to the Government or the House being committed to the carrying out of the works, which was certainly indicated by the terms of the resolution. That would be contrary to the spirit of the Bills that had passed the House that session, and at variance with the system adopted towards other Provinces under similar circumstances. He declined to pledge the Government to the execution of the work, but if it were the wish of the House that the survey should be made, he was of course in the hands of honorable members.

Mr. O'NEILL thought that the difficulty would be overcome by inserting, after the word "that," the following words, "with a view to considering the advisability of such works." The Government would not then be pledged to undertake the work.

Mr. PEACOCK thought the proposed works were the most useful that could be undertaken by the Government. In the case of Lyttelton harbour, it was also necessary that such works should be undertaken, and therefore it was that he sympathized with the honorable member for Omata. The Government had been simply asked to get the necessary plans and estimates prepared during the recess, and he did not think that they

would involve a very large expenditure of money. There was a very extensive sea board from the Manukau to Wellington, and he thought it would result in the preservation of life and property if the works in question were carried out.

Mr. TAYLOR did not think there was any necessity for altering the motion. He did not agree with the Premier, that the adoption of the resolution would commit the House to the execution of the works. All that was asked for was, that plans and specifications should be prepared to enable the House to consider the propriety of such an expenditure. He thought that the question of expenditure should be considered without reference to the Province being able to meet the liability.

Mr. CARRINGTON, in reply, could only express his grief at what had fallen from the Premier, and he begged leave to tell him that the land was the land of the Colony and not of the Province. He would therefore appeal to the House, and ask if they could deny him the motion.

Motion agreed to.

NATIVE TITLE.

On the motion of Mr. MACANDREW, it was ordered, That a return be ordered to be laid on the table, showing the total amount paid towards the extinguishment of Native titles, in respect of that portion of the Middle Island comprised within the limits of the Province of Otago; also showing the annual amount received from and expended within the Province of Otago by the Colonial Treasurer, from the year 1847 to the year 1855; such return to show further the proportion contributed by the Province of Otago towards the extinguishment of Native title in the Northern Island.

WATER-RIGHTS BILL.

Mr. ROLLESTON moved the committal of the Water-Rights Bill for Wednesday next. He said he did not entertain hopes that a Bill of so much importance would pass that session. He had consulted several honorable members, and they were of that opinion. He looked upon it in the same light as the honorable member for Omata had regarded his motion in respect to Taranaki, and he believed it was indicative of a form of colonization that would tend more to the development of the resources of the Colony than any railway scheme that could be propounded. The question was one to which he would devote himself during the recess, as it was one which he believed required study that might be made of advantage to the Colony.

Motion agreed to.

WELLINGTON BOTANICAL GARDEN.

The SPEAKER pointed out to the honorable member for Grey and Bell that his motion praying His Excellency to cause a sum of £300 to be placed on the estimates for the purpose of laying out the botanical garden, Wellington, was informal. He should have moved that the House go into Committee, with a view to doing what he required.

Mr. FOX hoped the honorable member would postpone his motion, inasmuch as there was some difference of opinion amongst the members of the Government on the subject, and it was desirable that they should all be present when the matter was discussed.

Mr. HALL said that he had only just spoken to the honorable member's colleagues, who were in the building, and he thought the honorable member for Grey and Bell should persevere in his motion, as he might not have an opportunity of bringing it on again.

Mr. ROLLESTON regretted that the first produce of the botanical garden should have been an apple of discord amongst the members of the Ministry.

Mr. FOX said the honorable member misunderstood him. He simply desired to state that, as there was some difference of opinion on the subject, it was desirable all the members of the Government should be present when the matter was discussed.

Mr. GILLIES hoped the House would not go into Committee on this matter, as it would be a mere waste of time. It was a question of purely local concern, and such matters were treated in other parts of the Colony as local questions. In other places the people subscribed for the maintenance of botanical gardens. It was absurd to talk of expending £300 in making the piece of ground in Wellington a botanical garden; it would only make a few walks through the wood. It was not suited for a botanical garden, and the money would only be wasted.

Mr. HALL thought it desirable that they should provide a Government nursery for the Colony. Wellington was the most convenient place for it: it was very central, and was frequently visited by people from other parts of the Colony. The lower parts of the ground proposed were well suited for a botanical garden. The soil was good, and it was well sheltered. It was desirable that there should be a central establishment for rearing plants for distribution in various parts of the Colony. It would be especially useful for experiments in growing the different descriptions of flax, and ascertaining the best means of growing it, and how soon it would be desirable to cut it. No locality was better suited for that purpose than one where so many gentlemen from all parts of the Colony could see the experiments and the result of them. Such a nursery would be most useful to the whole Colony, and he would certainly vote for the motion.

Mr. MACANDREW said if the House was going to vote anything for botanical gardens, it should be distributed equally for the benefit of other botanical gardens in the Colony.

Mr. HAUGHTON thought that the honorable member for Grey and Bell had made a mistake in making such an extremely modest proposal; if he had asked for £3,000, he (Mr. Haughton) really believed the motion would have been carried without any opposition whatever. It was very well for honorable members to speak of botanical gardens in other parts of the Colony, but the Provinces over which the honorable

member for Mongonui and the honorable member for the Clutha presided, had funds to devote to such a purpose. The Provincial Government of Wellington had no funds to vote in that direction. There was a good deal to be said in favour of having a botanical garden in Wellington, which could be kept up without much expense. A number of members of the House possessed considerable taste in such matters, and who had taken a great deal of trouble in cultivating gardens and acclimatizing plants; they might bring plants for the botanical garden, and in a very few years, at a slight expense, it would become an exceedingly useful institution for the Colony.

Mr. LUDLAM quite agreed with the honorable member for the Clutha, that if the Colony encouraged the Wellington botanical garden, it should encourage others. He felt that the Colony had hitherto neglected its duty in this matter, and had lost sight of the importance of enabling the people of this country to obtain the best variety of trees for planting. The result was that they saw trees of the most wretched description planted over the whole Colony. There was a growing taste for planting the best trees for timber, and the House should encourage it by devoting a portion of the public funds to enable a collection of the best trees to be made. That was a matter which could be better undertaken and carried out by a public institution than by private individuals. He had himself taken considerable trouble in collecting trees from all parts of the world, and ascertaining the best description of trees to plant. It was not very creditable that a colony which had existed for some thirty years could not as yet boast of a botanical garden worthy of New Zealand. There was no better site for a botanical garden in Wellington than the site chosen. It was a garden for the Colony, in the sense that it was handed over to a colonial institution. Something might be obtained from the endowments around Wellington to support it. He believed it to be a very legitimate and valuable object on which to spend the £300, which sum would be expended with great advantage to the whole Colony. He would not object to vote for the expenditure of certain sums for the maintenance of other botanical gardens in the Colony.

Mr. STAFFORD concurred in what had been stated by the honorable member for the Hutt. The Colony had been guilty of an oversight in not having established some dépôt for receiving seeds and plants from other parts of the world, and exchanging the products of this Colony. He felt that to be a very great loss, and he did not know any Colony of the same dimensions which had not something of that kind except the Colony of New Zealand. It was quite true there had grown up in some parts of the Colony—notably at Auckland, and at Dunedin and Christchurch—botanical gardens which were the nuclei of an institution of that character. He had always taken a very great interest in those matters, especially in the rearing of trees. He had lately been a good deal in the gardens in Auckland and Christchurch, where he had seen a fine col-

lection of shrubs, plants, and trees from different parts of the world. There was, however, one fact which struck him, namely, that each of those two gardens had got a large surplus of shrubs and trees which the other wanted. He had suggested in Christchurch that the overseer of the gardens, should be sent to Auckland and Dunedin for the purpose of exchanging seeds and plants. If that were carried out with respect to all the gardens, they would largely promote the purpose for which they were formed. He had no particular preference for having a colonial institution established in Wellington, but it must be established at one place, and Wellington was a very suitable place, as they had a piece of ground in Wellington ready for the purpose, connected with the New Zealand Institute. The General Government might also do a great deal in the matter, by communicating with the Governments of other countries, with the view of exchanging seeds and plants. They should take advantage of the piece of ground in Wellington. There was a reserve set apart in Nelson for a botanical garden, but nothing had been done, and it was now used as a cricket ground. What they wanted was to have a place where they could receive and grow plants that would be beneficial to New Zealand—to propagate them, in order to establish the fact that they could be grown to advantage, and also to supply seeds to different parts of the Colony. If that could be done for £300, it would be short-sighted economy not to vote the amount. The other day there came a lot of seeds from California, but they had been distributed to the different Provinces. He had been most anxious to obtain some of those seeds, but failed in the application he had made, and was told that they had been divided amongst the Provinces; and he could not get any from the Nelson portion because he was a Canterbury member, nor from Canterbury because he was a Nelson resident. He would have taken as much care in rearing those seeds as any of the persons to whom they had been given. Wellington being equidistant between the extreme north and south of the Colony, the climate would be a very favourable one for rearing plants received from places having somewhat warmer or colder climates. He thought the motion a very proper one, and hoped it would be passed. He trusted that a moderate sum would be placed on the estimates each year in aid of so valuable an object.

Mr. VOGEL said the question was not so much whether it was desirable to establish botanical gardens, as whether a charge of this kind should be foisted on the Colony. Last year a Bill was brought down with reference to the Wellington botanical gardens, and those who had charge of it disclaimed any intention of asking for an annual grant; they were quite indignant at the idea of its being supposed that the inhabitants of Wellington would ever think of asking Parliament to assist them in such an object. They now got some good-natured member to ask for the very small sum of £300, and the House was told of the immense benefit that would arise from having a colonial garden. He quite admitted

that benefit, but he objected to having such things foisted on the Assembly. If they were to have colonial botanical gardens, let the Colony take charge of them, as in Victoria and New South Wales, and let the gardens be so established as to be a credit to the Colony. It had forced itself upon his mind that it would be far better to take the city of Wellington out of the Province, and make it a colonial city, and thus prevent, perhaps, having petty local considerations continually dragged before the House relating to Wellington. It was to the interest of the House to set its face against this sort of thing; if the thin end of the wedge were driven in, they could not know where it would stop. They would be throwing away the £300, unless it were supplemented by large votes in the future. He objected to such applications being made during the last week of the session. He thought the better plan would be for the Government to consider the question, and to come down with a distinct proposal next session, that it was desirable to have colonial gardens in Wellington. He might mention, that the seeds received from California were handed over to Dr. Hector, to be distributed amongst those who were qualified to make the best use of them. If resolutions of this kind were to be brought before the House, and the House was to make special grants for purposes which hitherto, whether rightly or wrongly, were looked upon as coming within the scope of Provincial Governments assisted by private subscriptions, the thing should be done with proper deliberation, and not in a manner entirely opposed to the forms of the House. There was no reason why the motion should not have been brought down and discussed at an earlier period of the session. In the Province of Auckland, where the best botanical gardens were to be found, they had been established by private subscription. It was true a part of the Domain had been given for the purpose, but the Acclimatization Society had established beautiful gardens at a considerable cost. He thought the inhabitants of this Province, who were among the wealthiest in the whole Colony, might very well put their hands into their pockets for this purpose, and that to do so would be a much more useful thing than subscribing to send delegates to Melbourne, or to get up useless agitations. He thought it would be a mistake if the House carried a resolution of this kind. The House had no information before it as to the cost of establishing these gardens. If such information were obtained, and the House were disposed to entertain this proposal, the Government could, next session, put the required amount on the estimates. In the neighbourhood of Wellington they could grow an astonishing variety of plants, and it was so far right to recognize the principle of establishing a botanical garden; but it must be borne in mind that in the course of time it would become a very expensive undertaking.

Mr. CRACROFT WILSON, C.B., thought that something ought to be done in some part of the Colony to establish a nursery for raising valuable

timber and other trees. He had done a good deal himself in that way, and at the present moment he had £25 worth of seeds on their way from California. Unless parties were assisted, very few persons could afford to go to the expense of introducing valuable trees. In 1854, when returning to India, he left behind him three plants of the Himalaya tree rhododendron. He brought them with him from India, and left them here, expecting that on his return after five years he should have found them grown into fine trees; but they were destroyed by the hot wind. He had been attempting for the last ten years to get some of those plants again. He at length succeeded in getting a bag of seed, and many of them had germinated, and he should in the course of ten years have an ample supply of plants. In India, where they could get plants of all kinds from the Himalaya, a good deal could be done in the way of introducing new varieties of plants into this Colony. He had himself introduced some valuable timber trees, which had seeded, and applications had been made to him for seed from various parts of the Colony.

Mr. CREIGHTON said if the honorable member had written to Mr. Hay, of Auckland, he could have got plants of the Himalaya tree rhododendron from him.

Mr. WILSON.—Not of the kind he referred to.

Mr. LUDLAM said he wrote to Mr. Hay for one of every kind he had, and the answer was that he had none.

Mr. CREIGHTON said his impression was that Mr. Hay had that variety in his grounds. Nearly all the varieties of flowering shrubs, fruit trees, and the forest trees of California, were to be obtained in that nursery. He had no doubt that private enterprise, so far as the Province of Auckland was concerned, had succeeded in obtaining a supply of flowering plants and trees from all parts of the world. He objected to the vote. He did not think the site was properly chosen, and felt convinced that it would cost at least £20,000 to make a botanical garden there. Neither the climate nor the soil of Wellington were suited for the purpose. If Auckland was not a suitable place for the establishment of a botanical garden, he thought Nelson would be well adapted for the purpose.

Mr. BAIGENT, in reply to a remark of the honorable member for the Hutt (Mr. Ludlam), that some of the Provinces had not done their duty in introducing new trees and plants, said that, as far as the Province of Nelson was concerned, they would get any kind of fruit and forest trees there, at from 6d. to 1s. each. He had known some kind of trees to be so plentiful there, that they had been drawn up and burnt, there being no market for them. As for the rhododendrons, to which the honorable member for Coleridge had alluded, they were frequently difficult to get even in England, especially good standard trees; and he had seen them sold there for as much as fifty guineas each. When the Bill was passed last year, vesting this ground in trustees, it was distinctly stated that the trustees were not to come to this House for assistance, and it was

understood that the undertaking was to be carried out by the people of Wellington.

Mr. CARLETON said that in 1856 a sum was granted by the General Assembly for the establishment of a botanical garden in Auckland, and having voted for that he should be ashamed not to vote for this.

Mr. O'NEILL should support the motion. The Government had received a large number of seeds from California, through Mr. Gray, the agent who went there in connection with the mail service, and when they arrived it was found that there was no proper place to sow the seeds. It was arranged by the Committee that the seeds should be sent to enterprising gentlemen in various parts of the Colony; but he objected to the seeds and plants being sent to private gentlemen, on account of the difficulty of getting any from them afterwards. He knew of a garden at the Hutt, which was said to be a very fine garden, and which contained some very rare plants, but the owner was so particular that he had given his gardener instructions to burn all the cuttings, to prevent strangers from getting them.

Mr. W. WOOD thought they might get over the difficulty by sending the seeds to private gentlemen to try their chance with them, and also to the acclimatization societies which were established in every Province, and which would be very acceptable to them.

Mr. RICHMOND, in reply, said that at all events it was very plain that he had started a very interesting topic. The Colonial Treasurer, like many other men who were very wise in their generation, had gone beyond his depth, and had fished too deep on this occasion. He (Mr. Richmond) had not had any provincial pressure brought to bear upon him, nor did he require that any suggestion should be made to him to induce him to bring on such a motion. He had long thought that the tract of land known as the Wesleyan reserve ought to be resumed for public purposes. He had always thought that it might be used, not only as a pleasure ground, but, being used in connection with the institute, might be made also a scientific garden. The reason why they should select Wellington for such a purpose was, that it was the centre of their scientific organization. This, too, was the place where by far the largest number of gentlemen from all parts of the Colony, of scientific attainments and liberal education, met to interchange their ideas upon such subjects. The smallness of the sum asked seemed to have surprised the House. These were times when honorable members were, so to speak, drunk with sensation, and therefore his modest proposal astonished the House; the excuse was that it was as much as could be advantageously spent during the recess. He should not be astonished at anything that fell from the Colonial Treasurer; but he was amused when that honorable gentleman entreated the House not rashly to enter on that expenditure. The honorable member for Newton expressed his disapprobation of the large amount that had been demanded. He supposed the right thing for him to have done would be to have come down and

asked the House to go into Committee to raise a loan of £50,000 for this purpose, the expenditure to extend over ten years. The Colonial Treasurer had referred to what he called the deplorable results to the Cabinet of motions like the present. They had seen the tyrannical conduct of the honorable gentleman, and they might pity those who were associated with him in the close domestic relations of the Cabinet. It was not, however, he (Mr. Richmond) who had raised the provincial question, as the honorable member had said. The miserable jealousies of provincial politicians were for ever starting up, and it was by them that these questions were always raised. One had but to touch one of these, and the whole fat was in the fire. He quite agreed with the honorable member for Clutha, that it would be right that this proposal should be extended, and that it should be in the shape of aid to all the botanical gardens in the Colony. He saw no reason why that should not be done. It seemed to him that as they had affiliated the local societies with great effect with the Institute at Wellington, so they should affiliate all those local gardens with the botanical garden here. Science would not admit of being hemmed in by provincial boundaries, or by the narrowness of provincial gentlemen. If they looked at what was proposed to be done by the botanical gardens, no one would venture to say it was not a fit object for the Colony to engage in. No one would venture to say that because posterity had done nothing for them, as an Irish member once said, they were to do nothing for posterity, especially if they were going to hem themselves in with protection, and isolate themselves within their own borders in these southern seas. He should ask the House to divide upon the question, and he hoped the House would show that though a few noisy gentlemen were put out by this proposal, and exhibited their local pettiness in reference to it, yet, that the House would see its way to make this question one for colonial action.

Question put, "That the House resolve itself into Committee to consider the resolution," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	27
Noes	...	...	...	...	17

Majority for	...	...	...	...	10
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AYES.

Mr. Bradshaw,	Mr. McLean,
Mr. Brown,	Mr. Mervyn,
Mr. Bunny,	Mr. Mete Kingi,
Mr. Carleton,	Mr. O'Neill,
Mr. Collins,	Mr. Ormond,
Mr. Curtis,	Mr. Rolleston,
Mr. Edwards,	Mr. Stafford,
Mr. Fox,	Mr. Tancred,
Mr. Hall,	Mr. Tareha,
Mr. H. S. Harrison,	Mr. Wells,
Colonel Haultain,	Mr. Williamson.
Mr. Jollie,	<i>Tellers.</i>
Mr. Kelly,	Mr. Ludlam,
Mr. Kynnersley,	Mr. Richmond.

NOES.

Mr. Baigent,	Mr. Peacock,
Mr. Barff,	Mr. Russell,
Mr. Clark,	Mr. Studholme,
Mr. Dignan,	Mr. Swan,
Mr. Kerr,	Mr. Vogel,
Mr. Macandrew,	Mr. W. Wood.
Mr. Main,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Creighton,
Mr. Parker,	Mr. Gillies.

PAIR.

For,

Against,

Mr. Taylor,

Mr. Reynolds.

The motion was consequently agreed to.

On the question that the Speaker do leave the chair,

Mr. VOGEL said that a vote of this kind was entirely subversive of the proper carrying out of the business of the country on account of the "log-rolling," and absolute private canvassing, which had been pursued by honorable members. If it were competent for him to do so, he would move that the vote be extended to all the other Provinces, and to the County of Westland. If the amount were only £3, he would do the same thing. The principle of private canvassing amongst honorable members, of which he had ample proof, from the members of the Government downwards—canvassing in the House, out of the House, at dinner parties, and at evening parties—was one which was utterly disastrous and subversive of the independence of Parliament. The system of private canvassing—of honorable members saying to one another, "If you vote for this, I will vote for that,"—was utterly inconsistent with the carrying out of the business of the country to any advantage. He hoped honorable members would consent to allow £300 to be voted to each of the Provinces. He would withdraw his opposition to the proposal, if it were understood that the amount should be increased with a view of making the vote apply to each of the Provinces and to Westland. It appeared to him that the Standing Orders were virtually suspended when they were allowed to go into Committee without notice, and he wished that he could move that it be an instruction to the Committee to consider a motion that a sum of £300 be granted for the purpose of a botanical garden for each Province, and for the County of Westland. He found, however, on consulting Mr. Speaker, that it would not be competent for him to make that motion. It appeared to him to be rather a singular state of things, that the Standing Orders should be entirely suspended in reference to bringing on a resolution of this kind, without any notice, and that no departure from the forms of the House should be allowed with a view to amending it. He thought it was a fair question to argue, whether the Standing Orders should not be relaxed in one case as well as in the other.

Mr. MACANDREW would be sorry to see the House go to the extreme which the honorable member had suggested. He proposed, when the House went into Committee, that the sum should be made £600, for the purpose of promoting the

growth and propagation of plants in the various public botanical gardens throughout the Colony, with a view of having such plants gratuitously distributed.

The SPEAKER said he had explained to the Colonial Treasurer what appeared to him to be the exact state of the question. It was this: The House had determined that it would resolve itself into Committee to consider the subject matter that was to be referred to that Committee. That subject matter was, the presenting of an address to the Governor, asking the recommendation of the Crown for a sum of £300, to be appropriated for the purpose of a botanical garden in Wellington. It would not be competent for the Committee to consider any other subject than that. The Committee might negative the proposition, or increase or diminish the amount, if it thought proper, and if any honorable member wished to give effect to a motion of a similar nature as that which was indicated, namely, that a sum should be placed upon the estimates, for the purpose of establishing a botanical garden for the Colony generally, he would have to give a separate motion to have that also referred to the Committee of the House.

Mr. ROLLESTON would have let pass what had been said by the Colonial Treasurer, but in justice to himself, as one having taken very considerable interest in this question, he was bound to say that he would sooner himself, feeling the interest which he did in this subject, from old associations in Wellington, put his hand into his own pocket, than that a Minister of the Crown should come down and make such an exhibition of himself as the Colonial Treasurer had done. He wished to say, in reply to what the honorable member had said, that there had been no log-rolling whatever on his (Mr. Rolleston's) part, and, so far as he knew, on no one else's part. He was not aware, when he was speaking to Ministers upon a question in which he took considerable interest, and found that those he spoke to were favourable to it, that he was at all acting in an improper manner. He was sure that no one for a moment expected that the honorable member would have taken so strong a position in the matter as he had done. He certainly did speak to Ministers, and then asked the question which he had done, and the reply was that the Ministers differed somewhat in opinion about it; but, practically, an invitation was given to the House to express an opinion upon it. The House had been invited, by the honorable member himself, to express an opinion, and accordingly his honorable friend the member for Grey and Bell had taken up the challenge. The honorable member stated that there had been canvassing outside the House, at private parties and elsewhere, about the matter. He entirely denied the right of any Minister to come down to the House and make it a matter of reproach that individuals had, in their own houses or elsewhere, canvassed matters of public interest. He must say the honorable member had been guilty of a flagrant breach of decorum in bringing an accusation of that kind against honorable members.

Were Ministers, then, to sit on the benches as detectives upon the private conversations and the course of action of members outside of the House? He would be ashamed of the Ministry or of the House if they admitted, for one moment, that that was to be the line adopted with regard to questions coming before the House.

Mr. BUNNY was not going to take the very high tone which the honorable member for Avon had done. He was certainly rather astonished that the Colonial Treasurer should come down and say that the action taken in order to obtain the vote was destructive to representative Government altogether. As to canvassing at parties, they all knew they did talk to one another as to what was coming on in the House. He did not at all say that the Colonial Treasurer had ever, in any shape or form, attempted what was commonly understood as log-rolling, but he thought that there were those who were strong supporters of that honorable gentleman who sometimes ventured a little on that road, and he (Mr. Bunny) himself, in order to carry out views which he believed to be for the good of the country, and in order to keep in office a Government in which he had faith, had trodden a little in that path. But he was surprised that any member with the sound practical sense and ability which the Colonial Treasurer possessed, should come down and state that such a course of proceeding was destructive to representative government. Why, it was the very foundation of representative government, and in any representative institution they would find what was commonly and vulgarly called log-rolling. If any member who endeavoured to carry out a measure in which he was interested stood on the pedestal of being an independent member, and did not do anything to influence other honorable members, he would have very little weight in the House. As regarded the present vote, there was no log-rolling in any shape or form more than was commonly used upon every question that came before the House. There was no question decided by the House in which there was not what the honorable member had alluded to as log-rolling. It was going on hourly, and from the first man to what he might call the last man in the House.

Mr. CARLETON rose to speak on the point of order which had been referred to. It had been intimated by the Colonial Treasurer that the Speaker relaxed the letter of the law on one occasion and insisted upon it on another. He could only put one interpretation upon that—that the impartiality of Mr. Speaker had been called into question. Now, he said that Mr. Speaker had acted up to the letter of the law in both cases. The broad distinction which he had taken had been, that in the one case the House was not taken by surprise, and in the other case the House would have been taken by surprise if he had allowed it. Let it be understood that the Standing Orders were not framed for the purpose of interposing technical and formal difficulties, but with the object that the House should know perfectly well what was

coming on, and the nature of the question that was coming on.

Mr. FOX did not wish to prolong the discussion, but, as he had not spoken on the main question, he would take that opportunity of doing so. He certainly had never listened to a debate in which there had been so much of what he would call, without offence, loose talk, and so much absence of any definite line of discussion. It seemed to be understood by honorable members that there was a difference of opinion among the members of the Government in reference to this question. The honorable member for Avon apparently inferred from that that he (Mr. Fox) was opposed to the motion. The honorable member was wrong in the supposition, for he (Mr. Fox) did not wish to see this trifling sum of money refused if he could ascertain for what it was required. He would state what had been the difficulties which had weighed with him. In the first place, he did not forget that when the Botanical Garden Bill was before the House last year, a strong opposition was brought against it, and it would probably have been lost but for the most positive assurance given by the honorable member for the Hutt, when he introduced the Bill, and by several other honorable members who were interested in the question, that for the future the gardens would be maintained by subscription, and that they would never come to the House for a shilling; that they intended the work should be carried out with the £400 which fell into their hands from private sources and with public subscriptions. Now they came down this session and argued that this was a great public and colonial question, and that the Colony should pay the money for it. The inconsistency was transparent on the face of it. Then the style of garden was one altogether different from that indicated in the Bill of last year. The Bill was to provide for the construction of a garden by certain governors of the institute, and they were told, over and over again, that the House would not be asked for a shilling to support it. Then again, there was the question as to how far it would really become a General Government institution, or whether it would be merely in the nature of local pleasure grounds. If it were to be purely a botanical garden it did not at all follow that it should be an ornamental garden; and, on the other hand, the necessity for forming a recreation ground, as had been suggested by some honorable members, was, to a great extent, incompatible with the idea of having a practically useful botanical garden. He had not been told whether the money was to be devoted to the one purpose or the other. If it were going to be a recreation ground for the town of Wellington, it was quite reasonable to ask what would be given by Wellington in return. Wellington derived immense advantages through its being the seat of Government, and it was a little unreasonable to expect that the Colony should expend £300 in constructing a botanical garden for the pleasure of the inhabitants of the city of Wellington. The honorable member for Wellington City, who was the acting Superintendent, came to him the

other day and said if the Government would grant the sum of £300 he would be prepared, on the part of the Provincial Government, to hand over part of the Town Belt, with an annual rental of £250 arising from it. That put an entirely new phase upon the matter, and was a fair and liberal proposition. He would, however, be satisfied to vote for the £300 this year, on the understanding that the Government of Wellington was to hand over the rental, as had been suggested. But if they voted the money, the House must decide what sort of garden it would be—whether it should be a provincial garden, or be connected with the New Zealand Institute, or whether it would be a colonial affair, on account of Wellington being the seat of Government. At present they were quite in the dark on that subject, and some definite proposal should have been made to the House. They did not know, also, whether it was proposed to be maintained by annual votes by the House—whether the Provincial Government was to endow, or whether it was to be maintained partly by the annual votes of the House and partly by Provincial Government endowments. He would vote for the £300 on the understanding that the honorable member would rise in his seat and state that the handsome endowment he had promised would be settled upon these gardens, but otherwise, in the face of the pledges given last year, and which appeared in *Hansard*, he was not prepared to vote for it. He would not vote for the £300 pure and simple. Honorable members would see that, under the circumstances, there was reasonable ground for difference of opinion between the members of the Government with respect to the question before the House.

Mr. LUDLAM said that the proposal had not come from him, nor had he said anything upon the subject until the honorable member had stated that it was advisable that a sum should be placed upon the estimates. He had made no proposal whatever, nor did he initiate any proceedings in regard to the matter.

Mr. TAYLOR wished, in reply to the remarks of the Premier in reference to an implied understanding of last session that no further vote would be asked for, to say that he thought the Government should be guided only by the resolutions of the House, and not by any understanding between honorable members. He understood him to say that there had been an understanding arrived at, but he wished to know if the House had affirmed that.

Mr. FOX.—It was an open debate, and has been recorded in *Hansard*.

Mr. TAYLOR thought that was no reason why the House should be debarred from considering the question. The Ministry should be guided only by the acts or resolutions of the House. The honorable member had stated to the House what had taken place in reference to this question at an interview between them, and he (Mr. Taylor) wished to give his version of the matter. He did speak to the Premier upon the matter, and he had suggested, in his capacity as a commissioner, that a sum of £300 should be placed upon the

estimates in aid of the botanical garden. He had, however, subsequently understood that the Government had decided not to place the amount upon the estimates, and from that day to this he had taken no further action in the matter. He and other honorable members had been accused of log-rolling, but he would say that such was not his practice, though he thought there were occasions when it was justifiable, if an honorable member took an interest in any matter, to ascertain the opinions of others.

Mr. VOGEL said that he had stated there were private canvassings made by honorable members, but he was not aware that the honorable member took any interest in that or any other Assembly.

Mr. TAYLOR admitted that he did not take up much of the time of the House in the debates, but an honorable member's interest in the questions coming before the House was not to be measured by the frequency with which he rose in his place. In reference to the conversation respecting the £250, it amounted to this: There were, surrounding Wellington, 1,100 acres of land granted by the Crown to the Superintendent for the public uses of the town. It had struck him as a proper thing that, out of the revenues accruing from that estate, a certain amount, probably £250, should be appropriated for the maintenance of parks and public grounds, including the botanical garden, but he had no power as Deputy Superintendent to apply the money. All he had said was, that he would be prepared to recommend that course to the Council.

Mr. FOX.—I did not tie the honorable member down to any particular expression; I spoke of the general bearing of his conversation.

Mr. TAYLOR said that the land had been tied up and dealt with by the House. He was quite prepared to admit the great local advantage of the gardens, and the propriety of the Province contributing to it, but the Assembly had dealt with the land, and conveyed it to commissioners. The House had made a certain grant for the maintenance of the gardens so far, but if a further grant were not made the amount already expended would be wasted. It was for the House to consider whether, by a moderate expenditure, that contingency could be prevented. He did not ask for an annual grant, and did not advocate the vote for its local advantages, but a sum of £3,000 had been granted in perpetuity a few days previously for a college at Dunedin, which had been dubbed a university, and he thought the grant now asked for might be given on the same principle.

Mr. BARFF believed, with the Colonial Treasurer, that there had been something like a combination on the part of certain honorable members to have this sum of money voted for the garden. He was opposed to the expenditure of money in that direction. There was not a Province in the Colony, as far as he was aware, that had not attempted to do something in the direction of establishing a botanical garden and forming an acclimatization society. The Colonial Treasurer had truly said that it was impossible to make trees grow by Act of Parliament. That remark applied

with peculiar force to the Province of Wellington, as all those who had the misfortune of being in it at the present time could testify. The inhospitable nature of the climate, and the poor, desolate condition of the soil, utterly precluded the possibility of having a decent garden in Wellington. It was easy to refer to meteorological statistics to prove that Wellington was a highly favoured spot, but he would defy any honorable member to prove that these statistics were as accurate as they should be. He did not know whether he was in order in referring to the subject, but as a question of climate had been raised, he thought he might call to the recollection of honorable members circumstances in connection with the manner in which the meteorological statistics of Wellington were prepared. He was informed that, in the heavy gales of 1867, the weather-gauge was blown away, and the authorities, utterly disgusted, determined to place it for the future in a more sheltered position. The meteorological statistics of Wellington, he understood, had since been compiled from a gauge placed in a position where the wind could not get at it. Honorable members were quite aware that for several days previously anything but a light breeze had been blowing, but on looking at the record in the Hall he found nothing but the words "light breeze." That was stated to be the condition of affairs when the "Challenger" and the other ships of the squadron were dragging their anchors in the bay. He believed that if the entire ten million loan were expended on the Wellington botanical garden, they would not succeed in making a decent garden out of it. The sum of £300 was altogether inadequate. They might, just as well try to reclaim the bog of Allan with £10, as to spend such a sum upon the gardens. If the money were granted, he thought it would be doing a very great injustice to the other parts of the Colony.

Mr. BRANDON thought the honorable member did not know much about the subject in talking about the weather-gauge. The change in the position was made by the General and not by the Provincial Government.

The SPEAKER desired to make a few observations in reference to a remark made by the Colonial Treasurer. The Colonial Treasurer appeared to be under the impression that a rule which had been applied on previous occasions had, in this instance, been relaxed. He knew the rule to which the honorable member referred. It was this: When a motion was made which involved a charge upon the revenue, it was referred to a Committee to sit at a future day. That was undoubtedly the usual and the correct practice. He would be happy, if the circumstances allowed him, to apply it upon all occasions, as he thought it would be very much better for the promotion of business, and the proper conduct of business, were it of universal application; but it was impossible for him, as Speaker of the House, to shut his eyes to the fact that, for some weeks past, there had been a great deal of business to be gone through and a limited time for its transaction, and that there had been, on

the part of the House, a desire to get through the business as rapidly as possible. In obedience to that desire, he had not, for the last fortnight, insisted upon adherence to the rule. Upon all occasions he had put the question for going into Committee on the same day that the motion was made. That rule he had carried out, without reference to one case or another. He did not know, now that the honorable member's excitement had subsided—he would pardon him, he hoped, for using the expression, but that the honorable member was excited was quite patent to the House—whether there still existed in his mind an impression that there had been any want of impartiality on his part in relaxing the rules he had insisted upon on other occasions. He was not accustomed to accusations of that kind. If the Colonial Treasurer were still of that opinion he should regret it, but he could not feel very deeply hurt. He was certain that the Treasurer was the only man in the House who held any such opinion.

Mr. VOGEL, with great deference, did not think that his remarks were susceptible of the interpretation placed upon them by the Speaker. He had, however, a recollection that, upon former occasions, when he (Mr. Vogel) had not a position upon the Government benches, relaxation of the Standing Orders of the House was only allowed at the instance of the Government, and then only when a necessity arose for it, owing to urgent business. He had been told that the Standing Orders could not be relaxed for the purpose of bringing money questions forward without notice. He recollected an instance of that two years ago. His impression was, that the relaxing of the rules of the House at the latter part of the session was only to enable Government business to be brought on, increased facilities being afforded to the Government which were denied to private members, whose business it was usually expected would by that time have been disposed of. He did not mean to imply that there had been any injustice in the matter. He had not the slightest knowledge as to how Mr. Speaker would vote on the subject, and certainly did not mean to imply that he desired to influence the result.

Question put, "That the Speaker do leave the chair for the purpose of enabling the House to go into Committee," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	20
					—
Majority for	...	...	...	...	6
					—

AYES.

Mr. Bradshaw,	Captain Kenny,
Mr. Brandon,	Mr. Kynnersley,
Mr. Brown,	Mr. Mervyn,
Mr. Bunny,	Mr. Ormond,
Mr. Carleton,	Mr. Rolleston,
Mr. Carrington,	Mr. Stafford,
Mr. Collins,	Mr. Tancred,
Mr. Curtis,	Mr. Wells,
Mr. Fox,	Mr. Williamson,

Mr. Hall,
Mr. H. S. Harrison,
Colonel Haultain,
Mr. Jollie,
Mr. Kelly,

Mr. J. C. Wilson, C.B.

Tellers.

Mr. Ludlam,
Mr. Richmond.

NOES.

Mr. Baigent,
Mr. Bariff,
Mr. Clark,
Mr. Dignan,
Mr. Driver,
Mr. Kerr,
Mr. Macandrew,
Mr. Macfarlane,
Mr. Main,
Mr. McGillivray,
Mr. McIndoe,

Mr. O'Rorke,
Mr. Parker,
Mr. Peacock,
Mr. Russell,
Mr. Studholme,
Mr. Vogel,
Mr. W. Wood.

Tellers.

Mr. Creighton,
Mr. Gillies.

PAIR.

For,	Against,
Mr. Taylor,	Mr. Reynolds.

The motion was consequently agreed to, and the House having gone into Committee,

Mr. FOX said he understood that upon the House going into Committee upon the question progress was to be reported. That was the suggestion of the honorable member for the Hutt (Mr. Ludlam).

Mr. LUDLAM said that was suggested during the absence of the other members of the Government from their places, but as they had been present during the discussion he did not think the Committee were bound by it.

Mr. FOX said it was then half-past five o'clock, and he would move that progress be reported.

Mr. STAFFORD said that the course taken by at least one member of the Ministry was not likely to forward the Government business. If the Government set at naught the expression of opinion given by a majority of the House, that majority could delay the Government measures. He thought that there had been sufficient indication that the House was resolved upon making the vote.

The hour of half-past five o'clock having arrived, the Speaker left the chair.

HOUSE RESUMED.

On the House resuming at 7 o'clock,

WAIRAU VALLEY ROADS RESERVATION BILL.

This Bill was received by message from the Legislative Council, read a first time, and the second reading fixed for next sitting day.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

That they had agreed to the amendments made by the House of Representatives in the Census Acts Amendment Bill and the Married Women's Property Protection Bill.

That they had passed the New Zealand and Australian Submarine Telegraph Bill, the New

Zealand Post Office Act Amendment Bill (No. 2), and the Gold Fields Act Amendment Bill, with several amendments, in which they requested the concurrence of the House of Representatives. The amendments were ordered to be considered next sitting day.

WAITOTARA SETTLERS' CLAIMS.

ADJOURNED DEBATE.

Mr. VOGEL said the House had already set its face against granting compensation in land for losses arising out of Native disturbances. It was with very great reluctance that he had to inform the honorable member for Wanganui that the Government could not support the resolution.

Mr. RICHMOND said there was an obvious inconvenience in reverting to the old system after having come to a clear and distinct decision last session in the case of the Patea settlers; but while it would be wrong to go back to the previous system, it would also be wrong not to extend the altered plan to the treatment of the claims of the Waitotara settlers if they were shown to be good and deserving of consideration. If the Government were willing to do that, they would be supported by almost every member in the House, and in Committee it might be possible to amend the resolution in that sense. On behalf of the Waitotara settlers he hoped they would not have less consideration extended to them than that which the House thought right to extend to others in similar circumstances.

Mr. KELLY said the Waitotara settlers were included in the vote of £10,000 which the House had passed. The plea on which those persons asked for compensation for losses sustained in consequence of the war was, that those losses were caused by rebels whose lands had been forfeited to the Crown, and they asked that the land so forfeited should be given to them as compensation for the losses. It would be recollected that a petition was presented from those settlers, which was referred to the Public Petitions Committee. The petitioners made a lengthened statement, showing how the losses were sustained, and who were the chief causes of those losses occurring to them. They stated in that memorandum that the losses were chiefly caused by the hapu the chief of which was Tauroa, who was now undergoing sentence at Otago. It seemed to him (Mr. Kelly) to be a fair request, that if the persons who had done injury to those settlers had property, one of the first claims on that property was that the settlers should receive that land as compensation for the losses they had sustained. They did not ask for compensation in money, and their claim was one which the House should take into serious consideration. A very considerable quantity of land belonging to those rebel Natives had come into the hands of the Government. He thought the resolution should include the Patea settlers. He would move as an amendment the insertion of the words "also the claims of the Patea settlers," as, whatever the House agreed to do in the matter, the Patea and Waitotara settlers should be placed on the same footing.

Mr. H. S. HARRISON said that though the resolution expressed Waitotara settlers for the sake of conciseness, it included, he understood, the Patea sufferers, the whole number not exceeding some thirty-eight; therefore the amendment was not necessary.

Mr. VOGEL said it would be far better to pay compensation in cash than to give free grants of land to meet such claims. It should be borne in mind that part of the land in question would be used for the purpose of having the railway constructed between Wellington and Wairarapa, the Seventy-Mile Bush, Napier, and New Plymouth. If they extended over that land claims for compensation, where was the chance of getting such a line of railway constructed? He would much rather see money paid than that there should be any impediment thrown in the way of carrying out the railway scheme by issuing land scrip as compensation. The resolution, if passed into an Act, would exceedingly incumber the mode in which the House wished to deal with the land. It would be a breach of faith to a very large portion of the Colony to so dispose of the land. He hoped a great part of it would be set apart for railway purposes and not be subject to claims for compensation. The House was not in a position to satisfy the claims by cash, and he trusted the House would support the Government in throwing out the resolution. It was not a hasty determination which the Government had come to; they had arrived at the decision after a great deal of consideration, and they were determined to set their face against granting compensation in land.

Mr. RICHMOND wished to thank the honorable member for the stand he had taken on this point, and would support him most cordially. The honorable gentleman had stated that the proper principle, and one which he (Mr. Richmond) hoped the House would adhere to, was that the land was to be used for the purpose of colonization. That was the true use of the land of the country, and it should be used for no other purpose. He had a clear conviction that the House would be doing exceedingly wrong if it alienated any of its land except for colonization. On the West Coast the Government had the cheapest and most prompt means of enlarging the population which was open to them, and he hoped that, in the construction of railways, they would economize the land, and view it as a matter of real importance that the land should not be alienated at all, except on such terms as would insure that the people would be planted upon it.

Mr. H. S. HARRISON fully concurred in the sentiments uttered by the Colonial Treasurer with regard to the principle of alienating the land by free grants. If such a determination had been arrived at earlier they would not have had so much territory frittered away among military settlers. He was advocating the claims of *bona fide* farmers, who had been for the most part ruined, and their prospects crushed for a long time, and all of whom were more or less embarrassed. The greater number of those people were not settled upon confiscated land, but upon land the title to which had been extinguished to

their satisfaction and the satisfaction of the original owners twenty years ago. The Public Petitions Committee, after having carefully investigated the matter, reported favourably upon the petition, and the resolution was intended to give effect to their report. The number of the petitioners was limited to thirty-seven or thirty-eight, and he thought, under all the circumstances of the case, they were deserving of the greatest consideration from the House.

Motion negatived.

COURT OF APPEAL BILL.

Mr. GILLIES, in moving the second reading of this Bill, said it had been brought in to meet certain defects in the present Court of Appeal Act. One was the inability of the Court in any case to grant costs in cases of appeal brought before them. There were also provisions to extend the right of appeal in judgments on demurrers. Copies of the demurrer and pleadings were to be supplied to the judges. It was also proposed to shorten the notice which must be given of the time of the meeting of the Court of Appeal, which must at present be fixed by the Governor, from sixty to thirty days. It also enabled any one or more of the judges, or the registrar, in case none of the judges should be present, to adjourn the Court. These were difficulties which had been found to interfere with the practical working of the Act. He trusted the House would see no difficulty in allowing the Bill to be read a second time.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

HANSARD REPORTS.

A resolution was reported from Committee, read a second time, and agreed to.

TRAQUAIR AND STUART HUNDREDS BILL.

On the motion that the Speaker do leave the Chair, in order that the House may go into Committee on this Bill,

Mr. DRIVER said, before going into Committee on the Bill, he wished to make a few remarks. The reason the Bill was introduced was simply this: Certain hundreds in Otago were proclaimed in 1868, and it was shortly afterwards ascertained that the proclamation was invalid. The provincial authorities refused to recognize the error they had made, and continued to sell land, although the Attorney-General intimated to them that the proclamation was illegal, and finally the runholders affected by the proclamations took up the matter, and it ended in a law suit, which was at present pending before the Supreme Court. Since the Bill was introduced, and after consideration of the matter, he had come to the conclusion that certain interests had risen up which rendered it necessary that these sales of land should be legalized in some way or other. He therefore wished to give notice that he should move an amendment, in Committee, to authorize the decla-

ration of these hundreds in the terms of the Otago Hundreds Regulation Act of 1870.

Mr. MERVYN wished to make one or two remarks in reference to the Bill, which he saw, on the face of it, was intended to validate the illegal proclamation issued by the Governor with respect to those hundreds. That proclamation was rendered inoperative because the date on which it was issued was not inserted in it. There was one amendment which he wished to insert in the Bill in Committee, to the effect that the holders of the pastoral leases in the Traquair and Stuart Hundreds should receive compensation at the same rate as was provided by the Otago Hundreds Regulations Act of 1870. He thought that if the provisions of that Act were inserted in this Bill, there would be no difficulty or unreasonable opposition offered to the Bill.

Mr. MACANDREW regretted that it had become the fashion to get up these discussions before the House went into Committee, instead of on the second reading. He did not know that any blame was to be attached to the Provincial Government for having sold land in these hundreds, as he believed that the omission of a date in the proclamation—which omission it was the object of this Bill to remove—had not been discovered until some time after. So far as he was aware, the land was sold before that fact was discovered.

Mr. DRIVER.—It was a common scandal in the Province at the time.

Mr. MACANDREW was not aware of that. In any case, however, he should not accept the proposed amendments. It was by no means certain that the inadvertent omission of a date invalidated the proclamation, and if the House did not choose to rectify the error without imposing any conditions, he would let the matter take its chance, and leave it to the Supreme Court. He would read the preamble of the Bill, which would show the real circumstances of the case:—

“Whereas, by a Proclamation under the hand of His Excellency Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, and issued under the Seal of the said Colony, bearing date the fourth day of November, one thousand eight hundred and sixty-eight, and published in the Government Gazette of the said Colony, No. 62, on the sixth day of November, one thousand eight hundred and sixty-eight, His Excellency the Governor did proclaim and declare that there should be within the Province of Otago two new hundreds to bear and be known by the names or designations of the Traquair Hundred and the Stuart Hundred respectively; and the boundaries of the said hundreds respectively did thereby define: And whereas no date was named in the said Proclamation from and after which the pastoral leases then existing over the lands included within the boundaries of the said hundreds respectively should cease and determine, as provided by the eighty-second section of ‘The Otago Waste Lands Act, 1866,’ and in consequence of the omission of such a date doubts have been and are entertained as to the validity of the said Pro-

clamation, and as to whether and when the leases respectively subsisting over the lands comprised within the boundaries of the said hundreds respectively ceased and determined."

The House then went into Committee on the Bill.

IN COMMITTEE.

Clause 2.

Mr. DRIVER moved that this clause be struck out, with the view of inserting a new clause in lieu thereof.

Question put, "That the clause stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	20
Noes	...	...	...	8
				—
Majority for	...	...	...	12
				—

AYES.

Mr. Barff,	Mr. McIndoe,
Mr. Borlase,	Mr. O'Neill,
Mr. Bradshaw,	Mr. O'Rorke,
Mr. Bunny,	Mr. Richmond,
Mr. Carrington,	Mr. Swan,
Mr. Clark,	Mr. Williamson,
Mr. Edwards,	Mr. W. Wood.
Mr. Gillies,	
Mr. H. S. Harrison,	<i>Tellers.</i>
Mr. Kelly,	Mr. Macandrew,
Mr. McGillivray,	Mr. Mervyn.

NOES.

Mr. Ludlam,	Mr. Wells.
Sir D. Monro,	
Mr. Ormond,	<i>Tellers.</i>
Mr. Tancred,	Mr. Driver,
Mr. Vogel,	Mr. Jollie.

PAIR.

For,	Against,
Mr. Brown,	Mr. J. C. Wilson, C.B.

The amendment was consequently negatived.

The Bill was reported to the House without amendment, read a third time, and passed.

HAWKE'S BAY CROWN LANDS SALE BILL.

Mr. ORMOND, in the absence of Mr. McLEAN, moved the second reading of this Bill, the object of which was to authorize the carrying out of agreements with certain Natives in reference to grants of land.

The Bill was read a second time, and ordered to be committed next sitting day.

PETITION OF A. S. DREYER.

On the order of the day being called on for the further consideration of the report of the Public Petitions Committee on the case of A. S. Dreyer,

Mr. VOGEL said the Government intended to place an amount on the supplementary estimates, and it would be better to defer the discussion on the subject until the item came before them for consideration.

Mr. COLLINS moved that the order be discharged, with the view of considering the item to be placed on the supplementary estimates.

Mr. BARFF had carefully investigated the case, and he considered that great injustice had been done to the petitioner. He would suggest to the Government that the report of the Public Petitions Committee did not afford that amount of compensation which Mr. Dreyer was fairly entitled to receive.

Motion agreed to, and order discharged.

APPEALS FROM PROVINCIAL RATING BILL.

This Bill was considered in Committee, progress was reported, and leave obtained to sit again next sitting day.

TIMARU AND GLADSTONE BOARD OF WORKS BILL.

On the motion of Mr. ROLLESTON, the amendments proposed by His Excellency the Governor in this Bill were agreed to.

UNINCORPORATED BOARDS SUITS BILL.

Mr. FOX, in moving the second reading of this Bill, said its object was to give the same powers in regard to unincorporated boards as by law already existed in regard to incorporated boards.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

ROBERT JOHNSON LAND GRANT BILL.

Mr. LUDLAM, in moving the second reading of this Bill, said the House was fully aware of the object of the Bill. It was to carry out the report of the Select Committee. He would, therefore, reserve for reply any remarks which he might make.

Mr. McLEAN thought that one of the honorable members for Wellington, who was not in his place, had an objection to the Bill. He had also discovered, since the Bill was under the notice of the House before, that the applicant had already received a grant of land in another part of the country. He was not aware whether the honorable mover had been made acquainted with that fact. He found, on reference, that there had been land granted to the same person in the Wai-kato district. He mentioned this matter for the information of honorable members who might not have been previously aware of it.

Colonel HAULTAIN said the fact of an officer having received a grant of land would not affect his title to land as a retired officer. He knew many cases in which officers had received land as retired officers and also as military settlers, and they ought to make no difference whatever in the present case.

Mr. FOX asked if the honorable member could mention a case, because a case recently occurred in his province where a Volunteer grant was refused to a private in the 65th Regiment, because he received land as a military settler.

Colonel HAULTAIN could mention his own case. He received land in Auckland as a retired military officer and also as a military settler; and there were many other cases to which he could refer.

Mr. BRANDON felt it his duty to move as an amendment that the Bill be read that day six months. He did not think Mr. Johnson was entitled to the land, and he thought, also, that quite sufficient land had been granted to those who came within the spirit and letter of the regulations. Mr. Johnson had retired from the Indian army, but not for the purpose of settling in Wellington. He arrived in Otago, but being unable to obtain land there, he came to Wellington, made application, left to go to the Waikato, and obtained a grant of land. After remaining some time there he returned to Wellington, and whatever he might have done since, he did not come within the letter, nor did he (Mr. Brandon) think that he came within the spirit, of the regulations conferring land on military settlers. In the first place, to have entitled him to a grant of land, he should have sold out or retired for the express purpose of settling in Wellington; instead of that he had retired for the purpose of settling in New Zealand generally, and had gone and settled elsewhere. Under all the circumstances, he did not consider that he was entitled to the land or to any indulgence under the land regulations of the Province. Moreover, it was time to put an end to the system of granting land to military and naval settlers, not only officers but privates, the expectations with respect to the settlement of whom upon the land had not been at all realized. He would be sorry to do anything unjust, but he did not think the case came within either the spirit or letter of the regulations under which these lands were conferred.

Mr. LUDLAM distinctly understood that Mr. Johnson had come to this country for the purpose of settling. He was not previously aware that he had gone to the Waikato and obtained there a grant of land; but even supposing such were the fact it did not alter the case. Had he obtained the land when he applied for it in Wellington he would not have gone to the Waikato. He came to Wellington for the purpose of settling, and he would have obtained his land but for the misfortune of his certificate of discharge from the army having, in a mistake, been sent home to the Horse Guards. The officer who accompanied him from India, and who was able to produce his certificate, had obtained his 400 acres of land. The Committee had carefully investigated the matter, and had had before them his honorable colleague (Mr. Fitzherbert), who at the time was Commissioner of Crown Lands. That gentleman had admitted that the facts as stated were correct, and that he would not offer any opposition to the Bill. Under these circumstances he did not see why Mr. Johnson should be debarred from the land to which he was justly entitled.

Question put, "That the word 'now' proposed to be omitted, to insert the words 'six months,' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	9
					—
Majority for	...	...	...	...	21

AYES.

Mr. Bradshaw,	Mr. Jollie,
Mr. Brown,	Captain Kenny,
Mr. Bunney,	Mr. Kerr,
Mr. Carleton,	Mr. Kynnersley,
Mr. Carrington,	Mr. McGillivray,
Mr. Collins,	Mr. Munro,
Mr. Creighton,	Mr. O'Neill,
Mr. Curtis,	Mr. Richmond,
Mr. Dignan,	Mr. Rolleston,
Mr. Edwards,	Mr. Wells,
Mr. Eyes,	Mr. W. Wood.

Tellers.

Mr. Fox,	Mr. Ludlam,
Mr. Hall,	Mr. Tancred.
Mr. Haughton,	
Colonel Haultain,	

NOES.

Mr. Barff,	Mr. Swan,
Mr. Kelly,	Mr. Williamson.
Mr. Macandrew,	Tellers.
Mr. Main,	Mr. Brandon,
Mr. McLean,	Mr. Taylor.

The amendment was consequently negatived.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

CURATORS OF INTESTATE ESTATES BILL.

Mr. CARLETON moved that the amendments made by the Legislative Council in this Bill be not agreed to, and that a free conference be requested, the managers on the part of the House being Mr. Fox, Mr. Gillies, and Mr. Borlase.

Motion agreed to.

BUILDING AND LAND SOCIETIES BILL.

On the motion of Mr. FOX, the order of the day for the committal of this Bill was discharged.

THIRD READINGS.

The Nelson College Bill was considered in Committee, reported with an amendment, which was agreed to, and the Bill read a third time, and passed.

The Green and Spencer Land Claims Bill was considered in Committee, reported without amendment, read a third time, and passed.

The Fire Inspectors Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

AMENDMENTS BY THE LEGISLATIVE COUNCIL.

The amendments made by the Legislative Council in the Sale of Spirits in Native Districts Bill, the Hawke's Bay Renewal of Licenses Bill, and the Marlborough Sale of Reserves Bill, were agreed to.

RAILWAY GAUGE BILL.

Mr. RICHMOND did not know whether the Government intended to take up this Bill. It was very short, and did not go the length of the English Act, which imposed heavy penalties on the

construction of railways on any but the specified gauges. The present Bill merely enjoined that a particular gauge should be adopted on all public railways. He had brought in the Bill upon the report of the Select Committee. It was not one which should be taken charge of by a private member, and if the Government would take it up he would abandon it. He would, however, move the second reading *pro forma*.

Mr. MACANDREW would second the motion in earnest, as the subject was a very important one. One line of railway was being constructed on a gauge of 4 feet 8½ inches, but, if the Bill were passed, it would have to be altered to 3 feet 6 inches.

Mr. ROLLESTON said that they had assented to a scheme of railways being initiated throughout the country which would necessitate the best engineering advice being obtained by the Government, and it was entirely premature to pass a Bill defining the gauge, as if the House were a board of engineers. They were offering guarantees of interest upon capital invested by companies for the construction of railways, which were limited to a certain extent, and it would be very unwise to fix the details. In these cases it was the concern of the contractor, who would make himself safe as to the paying nature of the undertaking.

Mr. MOORHOUSE wished to impress upon the House the fact that it was not necessary to pass the Bill. The Bill was another of the evidences which induced him to think that there was a tendency, this session, to hasty legislation. This was a matter upon which the House had not been advised. He had been told by some honorable members that the Committee had very laboriously investigated the subject, and he was quite willing to accept that as a fact, but he could not conceal from his mind the fact that that Committee did not take professional advice, and that it was a Committee of laymen discussing a subject with which they had no practical acquaintance whatever. A great deal had been written lately in the newspapers on the subject of railways, and he had read a great deal about the bogie system and others. The bogie system was not at all a novelty. Twenty-four years ago he got out from England a great deal that had been written on the subject of railway gauges, and he discovered that the bogie system was a very old one indeed, and had been resuscitated in the newspapers. However, he would not commit the impropriety of urging any opinion at all on the subject, but he wished distinctly to state that, in the opinion of sensible men interested in the question, the fixing of the railway gauge was a matter which seriously affected the interests of Canterbury. Before it was necessary to connect the different parts of those great trunk lines that were proposed, the sleepers upon the lines in Canterbury would be completely rotten, and the rolling plant would be very much dilapidated, and it would involve a very small expense to effect a change in the gauge, so as to enable them to connect with the railways of other parts of the Island. He did not say but that the 3 feet 6 inch gauge might not be the best, and, of course, their professional advisers

would settle that question, but they ought to consider the utter impossibility of their being able to come to a proper conclusion on the subject. The Government ought to leave the Bill over until after the importation of that American talent had been obtained which they had heard so much about in the House. Was it not inconsistent for them to allege, on the one hand, that they could not carry out those works without a very material addition to their engineering talent; and, on the other hand, to anticipate one of the principal functions of those engineers by passing the Bill fixing the gauge? The Bill would be a work of supererogation, and would burden the Statute Book with a piece of unnecessary legislation. It was a matter which could be postponed, and if it were not necessary, that was one of the strongest arguments against it.

Mr. BUNNY would support the second reading of the Bill. The honorable member for Christchurch had told them that the Committee had consisted entirely of laymen, and, therefore, was incompetent to deal with the question. To a certain extent the honorable member was not correct in that statement. They had, as members of that Committee, two gentlemen whom he believed were second to none in New Zealand as regarded their engineering knowledge and capabilities of giving an opinion upon a subject like the present. He alluded to the honorable member for Omata and the honorable member for the Gold Fields (Mr. O'Neill). The Committee had before them, not only the opinions of those two gentlemen, but reports and papers from men of eminent engineering skill in Europe. They had papers from Charles Fox and Sons, the railway contractors in England, and reports relative to the Norwegian railways, which strongly recommended a 3 feet 6 inch gauge for a country like New Zealand, not only because it would give the necessary speed, but also because it would enable them to construct the works at a less expense than if they adopted a broader gauge. He could quite understand opposition being offered by the honorable member for Christchurch, as, in Canterbury, they had about thirty miles of railway constructed on the broad gauge.

Mr. MOORHOUSE explained that he had said he did not wish to fight the question of gauges, and with reference to the Canterbury gauge he was not prepared to say that it was the best.

Mr. BUNNY said at all events in the Committee there was a strong opposition given by the honorable member for Avon, on account of a certain extent of railway which existed in Canterbury. But he did not at all see that, because in Canterbury some eight years ago they had thought it advisable, without having had the information which they had at present, to adopt a 5 feet 3 inch or 5 feet 4 inch gauge, that therefore a 3 feet 6 inch gauge would not be the best for all the railway works in New Zealand. It would be quite competent for them to alter the gauge before next year if it were found advisable. The Committee might be said, with the exception of two members, to have been unanimous in their report, there having been thirteen to two, and the

two who opposed were from Canterbury. He would, therefore, support the second reading.

Mr. ROLLESTON considered that he was called upon to make some reply to the assertion made, that the two members from Canterbury alluded to had endeavoured to sacrifice the interests of the Colony with a view to meeting their own particular circumstances. It was quite true that the Committee had a large amount of information before them, but he distinctly denied that the Committee had invested the subject with the importance it deserved.

Mr. CARLETON said it had been his duty to give the matter a considerable amount of attention in the private Bills office, and, as Chairman, to bring it on several occasions prominently before the House, and though the opinion of laymen might not be of much value as to the relative advantages of the broad and the narrow gauge, yet they could express an opinion as to the value of having a uniform gauge throughout the Colony. The evils arising from various gauges were every day accumulating, and now that an extensive system was to be inaugurated, it appeared to him that some Bill providing for uniformity should be passed during the present session; otherwise, the works would be proceeded with, and by next session it would be too late. He could not help thinking that in some districts the interests of the Colony were being made subordinate to the convenience of the Province, and he trusted therefore that the Government would insist upon carrying their Bill.

Mr. HALL would not oppose the Bill, though, at the same time, he indorsed what had been said by the honorable member for Avon as to the attention paid to the subject by the Select Committee. He had withdrawn his opposition to the report on condition that the proposed gauge should not apply to the Canterbury railways. He might mention that not a tittle of professional evidence had been taken by the Committee. There had been discussions of an exciting character, but, as far as information went, he did not believe that a single member of the Committee was a bit the wiser of all that had taken place, or had been better informed at the conclusion of their deliberations than at the commencement.

Mr. ROLLESTON.—Except the Chairman.

Mr. HALL had not seen a single member read the books submitted to them, and how any member could have gained additional information he was at a loss to learn. He wished that fact to go to the country, in order that when people read the report of the Committee, which he admitted had been temperately drawn up by the Chairman, they should know the little amount of consideration which the subject had in reality received at the hands of the Committee. It was not the result of any patient investigation or inquiry. He had undertaken, in Committee, to withdraw his opposition, provided that his views with regard to the Canterbury railways were acceded to, and that having been done, he should now support the second reading of the Bill.

Mr. CARRINGTON said that the question of

gauge was a question of expense. The broad gauge was desirable if they could afford it, but as that would involve a considerably increased expenditure, it was wiser to adopt the narrow gauge, more particularly as it suited their purposes.

Mr. MACANDREW said that as reflections had been thrown out upon the members of the Committee, as to their not having paid sufficient attention to the subject, he might state that although he had not come out from the Committee much wiser than he had gone in, he had paid a good deal of attention to the subject for the last two years, and his opinion was based upon practical experience of the working of the narrow gauge, which had been found to work admirably in Sweden, India, the United States, and other countries. He was perfectly satisfied that there should be one uniform gauge throughout the Colony, and that it should be a narrow gauge. Although the gauge which might be decided upon might differ from those short lines which had been already constructed, and which were now in course of construction, still he thought that should not alter the determination of the House. The Committee had not, he admitted, examined any engineers, for they were not to be had unless they had been fetched from other parts of the Colony, but they had what he considered was more valuable—that was, the opinion of the best engineers in Europe and America, who might be supposed to know more about the matter than any engineers in New Zealand. He believed that, practically, the question, in as far as the Colony as a whole was concerned, resolved itself into narrow gauge or none, and he was by no means certain but that 3 feet would be preferable to 3 feet 6 inches.

Mr. GILLIES was of opinion that those who objected to the narrow gauge had not considered the question. In vindication of the Committee, he might say that they had engaged the best evidence that could be obtained from engineers in the old country, which was better evidence than they could get from any part of the Colony from those who might have arrived at foregone conclusions, and who had not the same evidence to judge by as those engineers might be said to have had whose experience in America led them to the conclusion that the narrow gauge was most economical and most suited to the requirements of the country. There were members of the Committee who paid no attention to the evidence brought before them, and who did not take the trouble to examine the documentary evidence produced. If that evidence had been examined probably they would not have had that discussion, and they would have been unanimous in their decision that the 3 feet 6 inch gauge was the right one. It was necessary for some members of the Committee, who had been engaged in investigating the subject for many months past, with the view of ascertaining for themselves what was the wisest thing to do, to make known the result of those investigations to the Committee; but after those investigations had been repeatedly mentioned, he found that some members of the Committee still remained as ignorant as before. The Committee was not to be

blamed as a whole if some members did not accept the information which was at their disposal. He would cordially support the Bill.

Mr. VOGEL was not at all satisfied of the pressing necessity for the Bill; because it seemed to him that however necessary or desirable it might have been, under the first proposal brought down by the Government, leaving the construction of the railways in the hands of the Government, now, as the railways had to be authorized from time to time by the House, it would be for the House to declare what the gauge should be, and a Bill of this kind would be nothing more than an indication of the opinion of the House during the present session. If they adhered to the principle that each railway was to be the subject of separate discussion, the question of gauge would frequently have to be considered. He did not regret the result of the deliberations of the Committee, as they had recommended the construction of cheap railways. By accepting the narrow gauge system, which seemed to be growing in favour, they accepted the principle of cheap railways, and he was not at all certain that there would not be railways which it would be necessary to construct on a less gauge than 3 feet 6 inches. There would be railways required for mineral purposes—others would require great cuttings to be made—and every inch less of gauge would be a great saving in construction. There was no necessity for binding the Colony to the 3 feet 6 inch gauge. The best authorities differed as to whether the gauge should be 3 feet or 3 feet 6 inches; and branch lines to gold fields and coal mines, as feeders to feed main lines, would require to be constructed, for which the narrower gauge should be adopted. He trusted the words “not exceeding 3 feet 6 inch gauge” would be inserted.

Mr. O'NEILL could not agree with the Colonial Treasurer, that the words “not exceeding” should be used, as he thought it would destroy the whole intention of the Act. They should settle at once upon what gauge should be adopted. It was to be regretted that the gauge had not been settled upon years ago, as it would have saved vast expense to the country. They must, sooner or later, have a uniform gauge from end to end of the country. No doubt Canterbury was a flat country, and, therefore, the arguments of the honorable member for Avon were of some weight; but, when they looked at the whole country from end to end, it must be considered a “difficult country”—a country in which it must be advantageous to have as cheap a form of railway as possible. The advantage of a narrow gauge was that sharp turns were more easily overcome. In New Zealand the lines would have a great number of sharp turns, and, therefore, the narrow gauge would be considerably cheaper. The 3 feet 6 inch gauge was not a new gauge. It was adopted in Russia, India, Chili, Queensland, and other countries. The question had been discussed at the Institution of Civil Engineers, and the opinion was decidedly in favour of that gauge. A much broader gauge was used in the lines of railway in England. He hoped the House would vote for the 3 feet 6 inch

gauge. As commerce and population increased they must have one uniform gauge from end to end of each Island. He would, therefore, support the Bill.

Mr. RICHMOND had been unfortunately placed in regard to the Bill. He had moved the second reading without remark, hoping the Government would take the matter up. If he had explained the views with which the Bill was framed, he thought it would have escaped the condemnation of several honorable members, and especially of the honorable member for Christchurch, who had informed the House that this Bill was unnecessary and contemptible—

Mr. MOORHOUSE.—If the honorable member would refer to his notes he would find that what he (Mr. Moorhouse) did say was, that works of supererogation were unnecessary and therefore contemptible.

Mr. RICHMOND.—That was exactly what he had stated. The honorable member stated that he thought it was undesirable that they should go into any discussion on the subject of railway gauges. He quite concurred with the honorable gentleman, that there was no urgency whatever in respect to the construction of railways during the current financial year, and he should be glad if the Government, during the recess, would be content to obtain the necessary information on the subject, so as to be enabled to lay it before the House during the next session; but if the House considered that these railways should be constructed, then it struck him that if the question of the gauge was ever to be decided it should be decided before these schemes were entered upon. The question for their first consideration was this: Was that House a competent tribunal to decide upon that matter? The honorable gentleman said that he was, and he considered that if there was any man in the country who knew anything about railways he was that man.

Mr. MOORHOUSE hoped the honorable gentleman would not misrepresent him. He said that there was no man in this country who had had more experience in railways than himself.

Mr. RICHMOND.—Well, that was exactly what he said. He (Mr. Richmond) had himself been brought up as an engineer, and had some experience of the working of railways constructed on the 7 feet gauge and on the 4 feet 8½ inch gauge; he knew something also of the 1 foot 11½ inch gauge, that is, he had travelled upon it. His professional knowledge enabled him to form an opinion on the subject, and his confident opinion as a layman was this: that it would be about as wise for the House to found its opinion on this subject on professional advice, as it would be for a gentleman who required a carriage to go to the coach-builder and consult him as to whether it would be better to have a gig or a four-horse drag. It would be to the interest of the coach-builder to advise the construction of the larger carriage, because it would be more costly. So with the railways. It would be to the interest of engineers to recommend the construction of those works upon which the most money would be expended. The

Committee had said that the 3 feet 6 inch gauge was the gauge which was required. He was not wedded to that dimension. The honorable member for Avon seemed to have a positive desire for variety of gauges, and had a notion that the harmony of nature was found in diversity; but he (Mr. Richmond) maintained it was not a question of beauty but of utility, and the harmony of a railway system was in unity. The 3 feet 6 inch gauge had been fixed upon as giving a carriage of convenient size and sufficiently commodious to insure the comfort of passengers over a long day's journey at a moderate speed. As for their carrying capacity, the honorable member for Avon—with those large notions which had inspired Canterbury from all time, and induced it to launch out beyond its means—was persuaded that nothing less than a 5 feet 3 inch gauge should be adopted.

Mr. ROLLESTON did not say that either the 3 feet 6 inch or the 5 feet 3 inch was the right gauge, but that they were premature in deciding upon any gauge at the present time.

Mr. RICHMOND thought that the House should be satisfied upon that point before they undertook the construction of the works. He would bring before the House the fact that on the smallest gauge in the world—the Festiniog Railway, in North Wales—the amount of ordinary goods traffic was equal to, whilst there was in addition a mineral traffic more than six times greater than, all the traffic on the Canterbury line. That fact showed that the Committee had been justified in proposing the 3 feet 6 inch gauge. He trusted that the House would not ask an engineer to tell them whether a small carriage would cost less than a large one, or that they would perpetrate such an act of folly as to ask a coachmaker to advise them as to whether, if they wanted a gig, it would not be more economical to have a four-in-hand. There were many railways constructed on the narrow gauge system, and they were constructed at a comparatively much cheaper rate than the broad gauge. The honorable member for the gold fields (Mr. O'Neill) had said that, taking the country throughout the whole length of New Zealand, it was what engineers would call a difficult country. In such a land the difference in the cost of constructing a railway on the broad and narrow gauge would be very great indeed. It was only by adopting the narrowest gauge, and constructing the lines on principles of the strictest economy, that they could carry on the work. It would be highly necessary that they should select proper persons who would carry it out heartily. The battle of the gauges had been as hot as that of Provinces *versus* Colony in that House. They might as well expect to receive candid advice as to the construction of a 3 feet 6 inch railway from a gentleman who had been in the habit of constructing 5 feet 6 inch railways, as to expect a candid proposal on a question between Colony and Provinces—he would not mention any name, but perhaps he was thinking of the honorable member for Clutha. They could not trust to professional advice upon that question. He thought it would have been very absurd if

the Committee had attempted to read through the stack of books, standing upwards of 5 feet 3 inches from the floor, which had been produced before them. He was in the Committee-room a great many days among those books when the honorable member was not there, and when he might have added to his knowledge on the subject; and other members of the Committee were in the same position. At all events, there was a considerable knowledge of the subject displayed by the members of the Committee; and what made their views upon this matter reliable was the fact that they were not prejudiced by having a railway of any particular gauge in their district. As far as prejudices of that kind were concerned their minds were a white sheet. They were in a better position than his honorable friend the member for Avon to decide upon the question of a gauge. They had first the question, whether they were going to carry out any works of the kind at the present time. The House had decided that they were to make them, and he did not see how they were going to do so unless they decided the question of the gauge upon which they were to be made. The next point was, what capacity and what speed were required, and it was clearly proved that the 3 feet 6 inch gauge was ample for the purpose. No better evidence could be obtained than was already at hand. They were not half so audacious in coming to a decision on the subject as they were in deciding to have railways at all. The principle of the Bill was that the gauge should be defined, but it did not specify any particular gauge.

The Bill was read a second time, and ordered to be committed next sitting day.

SUPPLY.

The SPEAKER announced a message from the Governor, transmitting additional supplementary estimates for the financial year 1870-71.

The message was ordered to be considered in Committee of Supply.

The House adjourned at twenty-five minutes to one o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 1st September, 1870.

Provincial Sheep Ordinances Validation Bill—Immigration and Public Works Bill—Messages from the House of Representatives—Traquair and Stuart Hundreds Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PROVINCIAL SHEEP ORDINANCES VALIDATION BILL.

The Hon. Mr. CAMPBELL, in moving, For leave to introduce a Bill to validate certain provincial Ordinances relating to scab or other contagious diseases, said that it had been found impossible for the Select Committee which had been appointed to consider the subject to bring up a general measure, but it had been considered ad-

visible to introduce a Bill for the purpose of continuing some Ordinances in force.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

IMMIGRATION AND PUBLIC WORKS BILL.

This Bill was further considered in Committee. Clause 7.

The Hon. Mr. GISBORNE moved, that between the word "Governor" and the word "from" in the first line of the original clause, the following words be inserted:—"Shall cause a reconnaissance survey to be made, sufficiently accurate to indicate the main lines of railway between Cook Strait and Invercargill, and between Napier and Wellington, and between New Plymouth and Wellington, respectively, and shall."

Motion agreed to, and clause as amended agreed to.

Clause 15.

The Hon. Colonel WHITMORE, C.M.G., moved that the words "or by grant of any lands which he may be authorized by law to contract to grant as compensation for such works," be struck out.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	9
					—
Majority for	...	...	...	...	9

AYES.

Captain Baillie,	Mr. McLean,
Mr. Bonar,	Mr. Paterson,
Dr. Buchanan,	Mr. Pillans,
Mr. Chamberlin,	Mr. Sewell,
Mr. Domett,	Mr. Stokes,
Captain Fraser,	Mr. C. J. Taylor,
Mr. Gisborne,	Mr. Waterhouse,
Mr. Hawdon,	Mr. Wigley,
Mr. Holmes,	Mr. Williamson.

NOES.

Mr. Gray,	Mr. Nurse,
Mr. Johnston,	Mr. Robinson,
Colonel Kenny,	Mr. H. R. Russell,
Mr. Mantell,	Colonel Whitmore.
Mr. Miller,	

PAIR.

For,	Against,
Mr. Lee,	Mr. Menzies.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again next sitting day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

The Nelson College Bill and Robert Johnson Land Grant Bill, which were read a first time, and the second reading fixed for next sitting day.

That the House desired a free conference on the Curators of Intestate Estates Bill. The Hon. Mr. Williamson, the Hon. Mr. Waterhouse, and the Hon. Mr. Sewell were appointed managers on the part of the Legislative Council. The conference to meet on Saturday at 10.30 a.m.

That the House agreed to the amendments in the Submarine Electric Telegraph Bill, the Post Office Bill (No 2), the Gold Fields Bill, and the Dangerous Goods Bill.

That the House had passed the Crown Grants Bill with an amendment, in which they requested the concurrence of the Legislative Council. The amendment was agreed to.

TRAQUAIR AND STUART HUNDRED BILL.

The Hon. Mr. DOMETT brought up the report of the Waste Lands Committee on this Bill, which was read.

The Council adjourned at half-past five o'clock.

HOUSE OF REPRESENTATIVES.

Thursday, 1st September, 1870.

Public Petitions Committee—Gold Fields Committee—Canterbury Rivers Bill—Personal Explanation—Amendments by the Legislative Council—Crown Grants Bill—Supply.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the report of the Public Petitions Committee on the petition of Henry Beale, which was read, and ordered to lie on the table.

GOLD FIELDS COMMITTEE.

Mr. MAIN brought up the reports of the Gold Fields Committee on the petition of certain managers and directors on the Thames gold fields, and also of certain inhabitants of the Clyde, Otago, which were read, and ordered to lie on the table.

CANTERBURY RIVERS BILL.

The SPEAKER announced that he had received a message from His Excellency the Governor, transmitting an amendment in the Canterbury Rivers Act Amendment Bill, which was ordered to be considered next sitting day.

PERSONAL EXPLANATION.

Mr. TAYLOR said that, before the House proceeded with the ordinary business of the day, he wished to make a personal explanation. On the previous evening he had, on the division in the case of Robert Johnson, voted with the noes, forgetting at the time that he had previously paired off with the honorable member for Coleridge. He had no excuse to offer for having done so except forgetfulness. He regretted what he had done, and hoped the honorable member for

Coleridge and the House would accept his explanation.

Mr. CRACROFT WILSON, C.B., accepted the explanation, and trusted the House would accept it also.

AMENDMENTS BY THE LEGISLATIVE COUNCIL.

The amendments made by the Legislative Council in the following Bills were agreed to:—New Zealand and Australian Submarine Telegraph Bill, New Zealand Post Office Act Amendment Bill (No. 2), Gold Fields Act Amendment Bill, and Dangerous Goods Act Amendment Bill.

CROWN GRANTS BILL.

The amendments made by the Committee in this Bill were agreed to, and the Bill read a third time, and passed.

SUPPLY.

The resolutions adopted in Committee of Supply were reported and agreed to.

The House went into Committee of Supply.

IN COMMITTEE.

UNAUTHORIZED EXPENDITURE, 1868-69, £86,349 17s.

Mr. VOGEL said it would be recollected that the financial statement had been brought down before the close of the financial year, so that the accounts were not then made up for the last quarter. Some of the items had been correctly estimated; but honorable members would be prepared to find that when the accounts were made up they did not exactly correspond with the sums anticipated, though he did not think there would be any great discrepancy. The payment of the balance of the cost of the "Luna" would take £7,000 off the estimated surplus; the customs revenue would amount to £8,000 less than had been anticipated when the statement was made; and it was not quite certain that they would pass the amended Tariff Bill, from which an increase of £5,000 to the revenue was anticipated. He moved the item £86,349 17s., liabilities and engagements for 1868-69, as printed in the supplementary estimates.

Colonel HAULTAIN would like to have some information with regard to some of the items before the whole sum was put. He observed one item, Native General Contingencies, £1,974 13s. 2d. The Defence Minister had stated that there was a balance of £2,800 out of the amount on the civil list, and he (Colonel Haultain) thought the item for general contingencies should be charged against that sum.

Mr. VOGEL said that of the balance from the civil list, £2,200 was a balance of the previous year, 1868-69, the saving on 1869-70 being only £600.

Colonel HAULTAIN presumed the sum was available for meeting any extra expenditure for Native purposes.

Mr. VOGEL did not think it would be fair to charge the sum to a previous year.

Mr. RICHMOND said it would be right to

charge the sum to the civil list fund, as that had been the practice pursued in previous years. The year before last the honorable member for Heathcote, when he occupied the position of Acting Colonial Treasurer, distinctly called attention to the fact that the fund existed, and was being used in aid of the votes of the House. The intention of the late Government was to exhaust the balance altogether, and that whatever further sum was required should be taken by vote from year to year. The House would then know exactly what the expenditure was.

Mr. VOGEL said that, under the system adopted last year, the House would see exactly how much expenditure exceeded appropriation. If it were thought desirable to make the item referred to by the honorable member for Franklin a charge against the accumulated civil list balance, he should not object.

Mr. STAFFORD did not know whether the Colonial Treasurer proposed to take votes for the sums under the head of unauthorized expenditure for the years 1868-69 and 1869-70, or whether those sums were included under the head of supplementary. There were a great many items in the statements of unauthorized expenditure which he did not understand. He might say generally, that it seemed somewhat extraordinary that, in the short time which had elapsed since the financial statement was made, the revenue was less by £25,000 than the amount then estimated, especially when they remembered that the financial statement was made on 29th June, the day before the close of the financial year. There was a deficiency of customs revenue alone amounting to £8,000.

Mr. VOGEL said the amount stated as recoverable from the special fund was only an estimate to the end of the year. The deficiency in the customs revenue was attributable to a great falling off in Otago during the last two months.

Mr. STAFFORD said that in previous years the figures were made up to the day before the financial statement was delivered. He did not know why the accounts to 30th June were not now made up. It seemed to be an unusual departure from the system practised during the last few years, of making the monthly payments to Provinces, and settling the balances every month. It appeared that the accounts to 30th June were not yet closed, and that they would have to wait until next year to know what they were.

Mr. VOGEL said the accounts had been in the hands of the printer for some time. There had been no unnecessary delay in the treasury department. Considering that the financial statement was made at such an early period of the year, it was somewhat extraordinary that there had not been greater discrepancy. It had been customary to include the unauthorized expenditure in the Appropriation Act, but he thought it more desirable that the items should be proposed in Committee, so as to give honorable members an opportunity of asking questions.

Mr. STAFFORD said there were some heads with different figures opposite them in the paper headed supplementary estimates, to those placed

opposite them in the statement of unauthorized expenditure. For instance, in the supplementary estimates of liabilities and engagements, 1869-70, there was the item, Public Domains and Buildings, £250 15s. 4d., while in the expenditure in excess of appropriation for the year 1868-69, under the head, Unauthorized Expenditure for Public Domains and Buildings, there was £2,190 4s. 2d. He supposed some explanation could be offered with respect to that amount, but it was unintelligible to him.

Mr. VOGEL said it was money expended out of the treasury, in addition to the sums which had been authorized by the House.

Mr. STAFFORD asked if the Committee was to understand that the sum of £250 15s. 4d. in the supplementary estimates was to be added to the £2,190—if so he should like to have the details. He was perfectly certain that, when he left office, there was no such thing as outstanding engagements amounting to £2,500 in addition to the sums voted by the House. He believed that a large amount of the expenditure incurred in the reception of H.R.H. the Duke of Edinburgh had been placed under that head. He never authorized their being so placed.

Mr. VOGEL would be happy to furnish the information asked for. Perhaps it would be a more convenient course to withdraw the unauthorized expenditure for the present, and take the supplementary estimates first. He would afford the explanation on the items in detail.

Mr. STAFFORD was willing to fall in with the course proposed by the Colonial Treasurer, and take the supplementary estimates first. There was another item upon which he wished to have some information—Pay of East Coast Natives for services in 1865 and 1866, £2,000. He wanted to know why that was made a liability and an engagement for 1868-69. Why was that year selected and made liable for services performed in 1865-66? It seemed as though the Government did not wish to show what the Native expenditure really was at present, and wanted to throw a portion of it back upon the time when their predecessors were in office. Those payments were not yet made; and, according to the statement of the Colonial Treasurer, they were asked to vote sums which had not been paid.

Mr. VOGEL.—They were not paid at the end of the financial year, but they might have been since paid out of imprest moneys.

Mr. McLEAN said some of the Native tribes were paid, but Henry Potae's and several other tribes who took part in that campaign proved that they had not received their pay in proportion to what had been paid to the Ngatiporou, residing beyond Tolago Bay. The case had been overlooked by the honorable member for Grey and Bell, when he was in office, and when they brought forward their claims and proved that they had not received payment. The only one who had done so was Henry Potae himself, who received £50; his followers got nothing. He thought it was perfectly fair that they should be considered, and therefore the sum had been put upon the supplementary estimates. It was

not from any desire to evade the expenditure of the Government that the present course had been followed. It was a past obligation, and therefore he thought it right to place it on the supplementary estimates.

Mr. STAFFORD said that what he asked was why was it charged to the year 1868-69? The service was performed in the year 1865-66. But as he understood that the money had not been paid under the authority of the House, unless it had been paid under the Imprest Act, if the amount had been charged back at all, it ought to have been charged to those years, and not to the year 1868-69.

Mr. McLEAN said that, as a matter of account, the payments were made to the other Natives during the year 1868; but these were omitted, having escaped notice, he supposed, and they were now put down to that year.

Mr. VOGEL said he had already explained that in the payments which were put down to the year 1868-69, were included payments for previous years. The unauthorized expenditure for 1868-69 would be found in the accounts which had been laid upon the table, showing the expenditure in excess of appropriations to have been £2,190.

Mr. STAFFORD said there was another item, Government House and Offices, £6,406 18s. 5d., of which £1,406 18s. 5d. was in hand, leaving £5,000 as the amount required. He wished to know whether that included the cost of the new stables.

Mr. VOGEL said it included the amount required to finish the Government-house stables, and also the offices which had been erected in connection with the Government buildings.

Mr. STAFFORD said that the late Government were not at all responsible for the stables. He thought it was a pity that a little more care had not been taken in preparing the plans for those stables. A worse set of stables, for the money they had cost, he had never seen. They were most uncomfortable for the horses. They were not only inconvenient, but they were so far offensive that they were open to the dwelling-house, and every single circumstance that took place at the stables could be seen from the Government-house windows. In some cases the horses would have to go up two or three steps. There was another question in connection with the vote for the Government domains. It would be remembered that, in a previous year, this House went to considerable expense in buying three acres of land immediately in rear of Government house, in order that it might be converted into a garden and shrubbery, ornamental to the town and to the purlieu of Government house. Instead of its being converted to the purpose for which it was originally intended, he found that it had been laid down in grass, and was told that it was intended to graze the Governor's cows there. The absurdity of the thing was apparent, for there would never be enough grass there to graze a good sized goat for a year. It could not be supposed to be likely that the country would go to the expense of £1,200 for the purchase of land

which would, at the best, be but an inferior paddock for the purpose of grazing cows, when a much better paddock could be got for that purpose at a much less cost. That ground should be devoted to the purpose for which it was originally intended, and that was, an ornamental plantation, adjoining Government house, and a pleasant place for the citizens of Wellington to stroll through.

Mr. VOGEL said he was not in Wellington when the stables were constructed, and had never been in them. As for the land which had been purchased, he knew that the honorable member for Timaru took a great deal of interest in the management of the domain and the additions to Government house, and it was quite possible that the present Ministry had not devoted so much time and attention to the subject. There had been a great deal of money expended upon the building opposite. He quite agreed with the honorable member, that the Colony did not pay £1,200 for land for the purpose of keeping a cow; the interest of the money would amount to a great deal more than the cow would yield. They were not prepared to put any sum on the estimates, this year, for the purpose mentioned by the honorable member, but the Government would not allow it to be forgotten that the land had been purchased for the use of the Colony.

Colonel HAULTAIN moved that the item be reduced by the sum of £1,977 1s. 2d., being the two items for Native contingencies, £2 8s. 0d. and £1,974 13s. 2d. If the honorable member wanted the £2,000, he should be quite ready to vote for it if it were brought down in a supplementary estimate.

Mr. McLEAN agreed to that course being adopted. He considered that the whole of the sum would be required for Native purposes; but, if the House preferred one course in preference to another, he was quite willing that the course suggested by the honorable member should be adopted, and the additional sum be placed on a supplementary estimate.

Colonel HAULTAIN further observed, among the liabilities and engagements, the item, Militia and Volunteers' Capitation Grant, £103 2s. 6d. Would the Defence Minister tell him to whom that grant was due. They must have been an exceedingly patient company to have remained out of their money for more than twelve months.

Mr. McLEAN said the payments were for the Napier Rifle Volunteers and for the Bay of Plenty Cavalry Volunteers.

Mr. VOGEL said he would bring down a separate estimate for the £2,000.

Item as reduced agreed to.

CLASS II.—PUBLIC DEPARTMENTS.

General Charges, £900; Provincial Charges, £350. Total, £1,250.

Mr. STAFFORD inquired whether it was intended to hand over the land in the Bay of Islands district to the Province of Auckland without any payment at all.

Mr. VOGEL said the arrangement which he

had come to with the honorable member for Mongonui, as Superintendent of the Province of Auckland, was that he (Mr. Gillies) should confer with the Paymaster-General, come to an arrangement as to what payment should be made, and abide by it; otherwise, the matter should be referred to arbitration. The only expenditure incurred on behalf of the settlement was £2,000, which had been paid away. The other amounts should be written off, but the Province of Auckland should take over all the liabilities. Those who had bought land in the progress of settlement, might possibly have some claims for compensation. The Colony would get £2,000, and be held harmless with respect to the settlement; the territory to be handed over to the Province of Auckland. He had no knowledge of the facts himself, and he thought he could not adopt a fairer course than to leave the matter with an officer so well acquainted with it as Mr. Batkin.

Mr. GILLIES said it was not only found that, in consequence of the duty of the General Government not having been carried out in forming the settlement, the surveys had become obliterated and almost wholly worthless, but it was also found that a large portion of the land included within the settlement was land which had been paid for out of the provincial fund, and for which the Province had been paying interest for years, whilst it was locked up by the action of the General Government in not carrying out the settlement as it promised to do. Mr. Batkin, after examination of the matter, came to the conclusion that it would be a fair and just settlement if the Province paid £2,000, the amount which was paid for land claims within the district. He (Mr. Gillies) had been very doubtful about taking it over at that, because he believed a large portion of the £2,000 would have to be paid for interest on account of the General Government not having fulfilled the promise which it gave when it purchased the land; but rather than have the thing hanging over, he thought he had better agree to the arrangement.

Item agreed to.

CLASS II.—PUBLIC DEPARTMENTS, £1,250.

Mr. LUDLAM would like to hear some explanation from the Colonial Treasurer with regard to the item, Secretary to Colonial Treasurer, £300.

Mr. VOGEL said he had found it absolutely necessary to have a separate private secretary, in order to enable him to discharge the duties which devolved upon him.

Mr. STAFFORD said that the officer who performed duties which were analogous to those of the officer put down as private secretary to the Premier, was called clerk when he was in office, and only received a salary of £180 on the estimates, with an addition of £60 charged on the civil list; the whole of the salary was never charged in the civil list. The secretary to the Colonial Treasurer was a new office. He was not prepared to say the office was not necessary, especially when Ministers travelled about a good deal.

Mr. GILLIES wished to call attention to an in-

crease of £50 to the salary of the officer in charge of the stamp department at Grahamstown, which was a provincial charge. There was no occasion for any special allowance on account of Grahamstown being a gold field, as officers could live as cheaply there as they could in Auckland. The officer had hitherto received £250, and he (Mr. Gillies) objected to the expense at the time the vote was made, when the Treasurer promised to make inquiries to see if any reduction could be made in the duties and the expenditure.

Mr. VOGEL said it was a mistake that the £50 was not placed on the former estimates; the salary the officer was to receive being £250, and £50 as a gold fields allowance. It might be true that living was cheap in Grahamstown, but, at the time the appointment was made, the Government were not able to assure the officer that the office would be kept open for any length of time, and it would have been very unfair to have asked him to put up a house to live in. £300 was not at all too much for the responsibilities attached to the office. He had certainly told the honorable member that the Government would make inquiries, but they could not undertake to close the office at a moment's notice, if it were unnecessary. Last year, immense pressure was brought to bear upon the Government by the Auckland members, to have a stamp department established at the Thames, as they said a branch office was no good. The amounts received at that time were certainly very large, £100 a day sometimes, but the revenue had fallen off very considerably since then.

Mr. GILLIES said it was very unfair to saddle the Province with the payment of a salary for an office which was quite unnecessary.

Item agreed to.

CLASS III.—LAW AND JUSTICE, £10,211 16s.

Mr. CRACROFT WILSON, C.B., asked, in reference to the item, Warders, Dunedin Gaol, whether the Government had received any set-off in consideration of the amount of labour done by the Native prisoners in Dunedin.

Mr. VOGEL said the Province of Otago had very generously come to the aid of the General Government at a time when it had great difficulty in knowing what to do with the prisoners, and when no other Province was inclined to take them. The agreement was that the Colony should pay simply for the extra warders, the prisoners to be maintained by the Province.

Mr. MACANDREW said it would have been a good job for the Colony if the Native prisoners had been sent to Dunedin instead of the Chatham Islands; it would have saved many thousands of pounds and many valuable lives.

Mr. McLEAN said the country was very much indebted to Otago for having taken such a troublesome responsibility off the hands of the Government. He thought it was the cheapest item on the estimates, and he agreed with the honorable member for Clutha, that if they had taken a similar course before with regard to the Native prisoners, the country would have been saved an enormous expense.

Mr. CRACROFT WILSON, C.B., did not say that it was an unjust charge, but, at the same time, if there was a *per contra*, the Colony ought to have it.

Mr. MACANDREW said the arrangement was that the Province was to feed and clothe the men in consideration of their labour, and the General Government provided for the extra charge of securing them, which cost would not be so large in future as it had been.

Mr. STAFFORD thought the sum a very moderate one. With reference to the remark of the honorable member for Clutha, that it would have been better for the Colony if those prisoners had been sent to Dunedin before, instead of to the Chatham Islands, he might observe that it was the fault of Otago that the Chatham Islands prisoners were not sent there. He had asked the Provincial Government to do it, and he believed the late Superintendent, Mr. Dick, was willing enough that it should be done, and had sent his (Mr. Stafford) letter to the Provincial Council, who, by a considerable majority, refused to take the prisoners. Canterbury also refused to take them, but he did not recollect whether reference was made to the Provincial Council of that Province. The reply from the Provincial Government, at all events, was in the negative. Nelson was also applied to in the same way, and every effort was made by the Government to carry out the plan which had now been adopted.

Mr. ROLLESTON said that the reason why Canterbury could not take the prisoners, was that there were not the buildings in Lyttelton, the only place where they could have been employed, the gaol there being fully occupied by Europeans. It was quite impossible to have done so except at such an expense as it would not have suited the General Government to incur. It was not from any absence of willingness to assist the Government in the matter.

Mr. BUNNY wished to know whether it was possible to reduce the item £2,000 for the Court-house at Wanganui. It might be necessary, or it might not, but if the amount was to be taken out of the provincial allowance this year, the Provincial Government of Wellington would be left without a single shilling. The provincial charges were becoming so great that the Colony had better take over the Province altogether.

Mr. STAFFORD said there was no doubt that Wellington was a discredit to provincial institutions. It had been so for the last four years. It could not pay even the police, it could not maintain the gaol and lunatic asylum, nor was it able to spend any money for roads or education purposes. He was glad to hear the remark of the Colonial Treasurer, the other day, as to the propriety of Wellington being taken over by the General Government, and becoming the Washington of New Zealand. He trusted that the honorable gentleman would, during the recess, mature a plan to give effect to that suggestion, and if he did so, he (Mr. Stafford) would give it his hearty support if he were in the House next session. It was a question of either doing that or handing the Province over to Otago.

Mr. VOGEL, in reference to the remarks of the honorable member for Wairarapa, said that the court-house was absolutely necessary at Wanganui. He was in earnest in stating his opinion that it would be better if the Colony took over the seat of Government into its own charge, and made it worthy of New Zealand, and a place where honorable members would meet with some comfort. The people themselves ought to have sense enough to know that it would be much better to be citizens of a place kept up by the Colony, than citizens of a place maintained at the expense of the Provinces. The time would come, if his suggestion were carried out, when not only the people of Wellington City, but also the residents in the Province, would recognize the advantages of such a plan.

Mr. BUNNY said he thought this was a matter which might very fairly come under the head of loan, but to charge it to the yearly income was rather more than they could bear. It was true, as had been remarked, that they would benefit by the capitation grant, but, on the other hand, they were being charged with many items not charged previously.

Mr. VOGEL.—No.

Mr. BUNNY said there were some which at all events had been increased. He would be glad to be attached to Otago, which Province he regarded as the first in the Colony. The position it had attained was a credit to New Zealand, and if they would only promise to advance the same amount of money as they promised to do in the case of Southland, namely, £100,000, he should have no objection whatever to a union, and he believed a Bill to effect it would, under such circumstances, be passed at once.

Mr. VOGEL said he must disagree with what the honorable member had said in regard to the extra charges. The honorable member might think it was a hardship that money paid by the Provinces should be devoted to road boards.

Mr. BUNNY.—No.

Mr. TAYLOR remarked that he considered it was necessary to expend £2,000 for a court-house at Wanganui. No doubt this Province, if it obtained fair play, would be in as solvent a state as any other Province in the Colony. It was possessed of a magnificent estate, but, in consequence of the Native difficulties which had existed, it had not been able to take advantage of it.

Mr. VOGEL said he was not aware that Wellington had been charged unnecessarily with any amount, and as to Wellington not having received fair play, he thought the House had always shown itself disposed to act fairly to the Province.

Mr. TAYLOR said they had been deprived of a prospective landed estate by the passing of "The Native Lands Act, 1862."

Mr. H. S. HARRISON said a court-house was absolutely necessary, and he therefore trusted that the vote would be allowed to pass.

Mr. MOORHOUSE remarked that if a court-house was required at Wanganui it should be erected; it was, however, for the Government to

see that no more money was spent than was necessary.

Mr. RICHMOND said he desired to speak about the next item. The court-house at Patea, in respect of which a sum of £1,100 had been placed on the supplementary estimates, would be erected upon the borders of Taranaki and Wellington, and he appealed to the Colonial Treasurer, who, as regarded the two Provinces, occupied an impartial position, to take care that this provincial charge was divided equitably between the Provinces. He did not object to the erection of a court-house, although he thought that the primitive style of buildings would serve our purposes in many parts of the Colony equally as well, and they would not be so expensive. He noticed that, after the word Patea, in the estimates, there was an etc., and he certainly would like to know what it meant.

Mr. VOGEL said the building, besides being a court-house, would be used for other public purposes.

Mr. KELLY moved that the item be reduced by £600. The Government had derived several thousand pounds from the sale of land in the township of Patea, and he thought at least half of the amount should be set apart on behalf of the court-house.

Mr. STAFFORD said the charge might be an oppressive one, but he was anxious to break down the existing system; and the more they swelled up the provincial charges against the Provinces which were unable to bear them, the sooner would they effect a radical change.

Mr. FOX said that, being anxious to see Patea prosper, he was glad to notice that his colleague had placed a sum on the estimates for a court-house. He assured honorable members that it was very much required.

Mr. CARRINGTON said he should have thought £500 would have been sufficient for the purpose indicated, and the £600, which would be saved on the item, would be sufficient to erect two bridges which were much needed.

Mr. VOGEL said the Government would accept the amendment.

Mr. BARFF called attention to the item, Introduction of new Land Transfer Act, £2,500, and asked how it was intended to expend this amount.

Mr. VOGEL stated that it was for the purpose of paying the salaries of officers appointed under the Act. It was anticipated that, in a short time, the department would become self-supporting.

Amendment agreed to, and item as reduced agreed to.

CLASS IV.—POSTAL SERVICES, £14,885.

Agreed to.

CLASS V.—CUSTOMS, £7,500.

Mr. HALL called attention to the item, New Lighthouses, Tory Channel and Portland Island, £6,000, and asked if they were to be paid for out of borrowed money, or from revenue.

Mr. VOGEL said that the House could order it to be paid out of borrowed money, but he did

not think it would be necessary, as he believed there would be sufficient, from the sources he had indicated in the financial statement, for the purpose.

Mr. HALL also inquired if the Government intended to employ a marine engineer in the erection of the lighthouse.

Mr. VOGEL said it was believed that, amongst the engineers who would be engaged under the Immigration and Public Works Act, there would be found some one of sufficient knowledge to render professional assistance to the department. The Government were not prepared to recommend a distinct salary for a marine surveyor.

Item agreed to.

CLASS VI.—NATIVE, £2,720.

Colonel HAULTAIN asked the Defence Minister for an explanation of the item, Aid to Settlement of surrendered Natives, £2,000

Mr. McLEAN said that, during the past year, between 600 and 700 Natives had surrendered to the Government, and it was expected that the number would increase to 1,000, and it was necessary to make provision for them. The amount in question was intended to purchase farm implements and seed potatoes for them, until they were in a position to support themselves.

Item agreed to.

CLASS VII.—MISCELLANEOUS, £16,152 17s.

Mr. LUDLAM asked for an explanation of the item, Compensation to Thomas Goodison, £175.

Mr. McLEAN said that the late member for Christchurch (Mr. Travers) had frequently brought before the House the case of Thomas Goodison, who was supposed to have suffered loss at the hands of the Natives, and Major Edwards having been appointed to investigate the case, he awarded the amount placed upon the supplementary estimates. There was some difference of opinion as to the Goodison case, but he would leave it to the consideration of the Committee.

Mr. RICHMOND objected to the item, and considered that the claim was not altogether *bona fide*. He would therefore move that the item be reduced by £175, the amount of the award in Goodison's case.

Progress was reported, and leave obtained to sit again.

The House adjourned at half-past five o'clock p.m.

LEGISLATIVE COUNCIL.

Friday, 2nd September, 1870.

Wellington Gas Bill—Sheep Diseases—Native Lands Frauds Prevention Bill—Immigration and Public Works Bill—Town of Gisborne Land Sales Validation Bill—Leave of Absence.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

On the motion of the Hon. Mr. JOHNSTON, this Bill was read a third time, and passed.

SHEEP DISEASES.

The Hon. Mr. CAMPBELL brought up the report of this Committee, which was read.

NATIVE LANDS FRAUDS PREVENTION BILL.

The Council went into Committee on this Bill.

The Hon. Mr. H. R. RUSSELL moved the following new clause:—That in all cases in which the Natives of any tribe shall complain to the Trust Commissioner to the effect that any sale of lands in which they are interested has been fraudulently or illegally made, it shall be the duty of the said Commissioner to inquire into such complaint. Should it appear to him that such complaint is well founded, it shall be his duty to report the same to the Colonial Secretary, with a view to such proceedings being taken as the Governor may deem proper.

Question put, "That the clause read be a clause of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	8
Majority for	...	...	...	...	11

AYES.

Captain Baillie,	Major Richardson,
Mr. Bonar,	Mr. Robinson,
Mr. Domett,	Mr. H. R. Russell,
Captain Fraser,	Mr. Seymour,
Mr. Holmes,	Mr. Stokes,
Mr. Johnston,	Mr. C. J. Taylor,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. Mantell,	Mr. Waterhouse,
Mr. Miller,	Colonel Whitmore.
Mr. Pillans,	

NOES.

Dr. Buchanan,	Mr. Lee,
Mr. Campbell,	Mr. McLean,
Mr. Chamberlin,	Colonel Russell,
Mr. Gisborne,	Mr. Sewell.

The motion was consequently agreed to.

The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS BILL.

This Bill was further considered in Committee. The Hon. Mr. JOHNSTON moved that clause 22 be struck out.

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	10
Majority for	...	...	...	...	7

AYES.	
Captain Baillie,	Mr. Paterson,
Dr. Buchanan,	Mr. Pillans,
Mr. Chamberlin,	Mr. Robinson,
Mr. Domett,	Mr. Sewell,
Captain Fraser,	Mr. Seymour,
Mr. Gisborne,	Mr. Stokes,
Mr. Hawdon,	Mr. Waterhouse,
Mr. Holmes,	Mr. Williamson.
Mr. McLean,	

NOES.	
Mr. Bonar,	Mr. Miller,
Mr. Campbell,	Colonel Russell,
Mr. Gray,	Mr. H. R. Russell,
Mr. Johnston,	Mr. J. P. Taylor,
Colonel Kenny,	Colonel Whitmore.

PAIR.

For,	Against,
Mr. Lee,	Mr. Menzies.

The amendment was consequently negatived, and the clause as read agreed to.

New clause.—In order to facilitate the speedy introduction of immigrants, the Governor may, until the thirty-first December, one thousand eight hundred and seventy-one, expend, out of the sum hereby applicable for immigration purposes, such sums of money, not exceeding £150,000, as he may deem proper; but after the said date, the amount to be annually devoted to the introduction of immigrants, as well as the salaries to be paid to all officers appointed under this section of the Act, shall be voted by Parliament.

The Hon. Mr. H. R. RUSSELL moved, "That the words '£150,000' be struck out, for the purpose of inserting the words '£100,000,'" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	18
Majority against ...					9

AYES.	
Dr. Buchanan,	Mr. Robinson,
Dr. Grace,	Mr. H. R. Russell,
Mr. Gray,	Mr. Stokes,
Colonel Kenny,	Colonel Whitmore.
Mr. Miller,	

NOES.	
Captain Baillie,	Mr. McLean,
Mr. Bonar,	Mr. Paterson,
Mr. Campbell,	Mr. Pillans,
Mr. Chamberlin,	Colonel Russell,
Mr. Domett,	Mr. Sewell,
Captain Fraser,	Mr. Seymour,
Mr. Gisborne,	Mr. C. J. Taylor,
Mr. Holmes,	Mr. J. P. Taylor,
Mr. Johnston,	Mr. Waterhouse.

PAIR.

For,	Against,
Mr. Menzies,	Mr. Lee.

The amendment was consequently negatived, and the clause as read agreed to.

The Hon. Mr. MANTELL moved the following new clause:—This Act shall be reserved for

the assent of Her Majesty, and shall not come into operation until her assent thereto shall have been published in the New Zealand Government Gazette.

Question put, "That the clause as read be a clause of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	15
Majority against ...					9

AYES.	
Colonel Kenny,	Colonel Russell,
Mr. Mantell,	Mr. H. R. Russell,
Mr. Miller,	Colonel Whitmore.

NOES.	
Captain Baillie,	Mr. McLean,
Mr. Bonar,	Mr. Pillans,
Mr. Campbell,	Mr. Sewell,
Mr. Chamberlin,	Mr. Stokes,
Mr. Domett,	Mr. C. J. Taylor,
Captain Fraser,	Mr. J. P. Taylor,
Mr. Gisborne,	Mr. Waterhouse,
Mr. Holmes,	

PAIR.

For,	Against,
Mr. Menzies,	Mr. Lee.

The motion was consequently negatived. Progress was reported, and leave given to sit again next sitting day.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

The Hon. Mr. DOMETT brought up the report of the Waste Lands Committee on this Bill.

LEAVE OF ABSENCE.

Leave of absence was granted to the Hon. Mr. C. J. TAYLOR for the remainder of the session, on urgent private affairs.

The Council adjourned at half-past one o'clock a.m.

HOUSE OF REPRESENTATIVES.

Friday, 2nd September, 1870.

Case of Henare Matua—Southland Liabilities—Ngaruawahia Blockhouse—Town of Gisborne Land Sales Validation Bill—Gold Fields Committee—Messages from the Legislative Council—Supply—Flax Industry—Order of Business.

The SPEAKER took the chair at two o'clock.

PRAYERS.

CASE OF HENARE MATUA.

Mr. CRACROFT WILSON, C.B., wished permission to make a motion without notice. There was a Native Bill before the Legislative Council, and he had been asked by one of the members of that Chamber to furnish the evidence taken before the Public Petitions Committee in the case of Henare Matua and others. If there was to be any discussion on the subject, it would be better to have the evidence printed. Although the

Chairman of the Committee had the power to order any evidence to be printed, he thought it was more in order to ask the leave of the House to have the evidence printed. He would move that the evidence be printed.

The SPEAKER said the more regular mode of proceeding would be for the Legislative Council to send a message intimating a desire to have any reports or papers laid on the table of the House. The House could then direct that the particular papers should be forwarded, when the Legislative Council could order them to be printed if they thought it desirable to do so.

SOUTHLAND LIABILITIES.

Mr. DRIVER asked the Colonial Treasurer, Whether the Provincial Government of the Province of Southland has, up to the present time, included in the statement of the liabilities of the said Province the item of £2,350 4s., together with interest from 5th September, 1865, due to Campbell and Robertson, as well as any sums of money due to David McKellar and others, for survey fees on lands given for public works under "The Southland Waste Lands Act, 1865"? The first claim had been standing as a liability against the Province for some four years. The Provincial Council had put it upon the Appropriation Act of the Province, but it had never been paid. The parties to whom the money was due were very poor: one of them had to work at day labour for some time to maintain his family. He wished to know whether the claim would be recognized on the revenue of the Provinces of Otago and Southland, and whether it had been included in the statement of liabilities. With regard to the claim of David McKellar and others, under section 36 of "The Southland Waste Lands Act, 1865," the Superintendent had power to give free grants of land for public works done within the Province. Certain contracts were entered into, and certificates granted to David McKellar and others in 1866. When the Government were called upon to give the Crown grant, they found that they had to pay a survey fee amounting to 9d. or 1s. an acre. Consequently, the Provincial Government asked the House, in 1867, for an amendment of the Southland Waste Lands Act, so as to make it retrospective, with the view of upsetting the interests of private parties already existing. There was a clause in the amending Act which enabled the Southland Government to withhold the Crown grant until the parties had paid the money, although the Government had undertaken to give free grants of land under the previous Act. McKellar and others had a claim against the Southland Government, which was so far recognized by the Provincial Council having proposed to pay them half the amount as a sort of compromise. He wished to know whether the Provincial Government had given notice of those liabilities, with the view of ascertaining why they had not been paid.

Mr. VOGEL replied that the Government were not in a position to state what was the exact amount of the admitted liabilities of the Province

of Southland. When the Otago and Southland Union Bill was passed, the Superintendents of those Provinces telegraphed to ascertain the amount of the admitted liabilities, in addition to those referred to by the General Government, and the reply was that they amounted to £18,000. The Superintendents of the two Provinces informed the Government, by letter, that they were not certain that that was the amount of all the liabilities, and it would be better to estimate them at £25,000. Amongst the items in the schedule of the Southland Appropriation Act, under the head "contingent," was an amount due to Campbell and Robertson, of £2,205 3s. 2d. He therefore concluded that it was an admitted liability of the Province of Southland. He found no record of the amount of the claims in the Treasury; it might be, and he presumed it was, included in the £25,000 which the Superintendents of the two Provinces stated would be the amount required to pay off the liabilities. He had no objection to telegraph to the Treasurer of Southland to ascertain whether the amounts referred to had been included in the statement of liabilities of that Province. He would read a memorandum he had received from the Receiver-General on the subject:—

"I believe that the sum has not been included in any statement of liabilities for which the General Government has been asked to make provision. Mr. Campbell has been up to Wellington more than once, about a claim which he spoke of as being 'about £2,000,' but admitted that the Provincial Executive then in office refused to recognize the debt. I understood him to say that it was for works done for the town of Invercargill. All claims hitherto presented have been paid. The treasury is not aware of any being still outstanding."

NGARUAWAHIA BLOCKHOUSE.

The Hon. Colonel HAULTAIN asked the Defence Minister, Whether the Government intend to complete the blockhouse at Ngaruawahia? Representations having been made to the Government, last year, that it was very desirable to build a redoubt and lock-up at Ngaruawahia, the Constabulary were authorized to construct one, under the direction of Captain Young. The redoubt was finished, and he believed also the foundation of the blockhouse. A certain quantity of material had been collected and bricks burnt for its completion, but he believed the work had not been proceeded with. He was aware that the settlers of the district considered it very desirable that there should be a place of refuge for their families in the event of any attack being made, by hostile Natives, on the Waikato, and that it was also desirable there should be a magazine for ammunition and stores.

Mr. McLEAN replied that the Government intended to have the building completed. After Captain Young left, instructions were sent to the officer in charge to have the work proceeded with. When Colonel Lyon assumed command of the district, he caused some change in the disposition of the Constabulary. It was expected that the

building, for which there was ample material on the spot, would be finished during the spring.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

Mr. LUDLAM brought up the report of the Joint Committee on Waste Lands on the Town of Gisborne Land Sales Validation Bill, which was read, and ordered to lie on the table.

GOLD FIELDS COMMITTEE.

Mr. MAIN asked permission to make a motion without notice. It would be recollected that two reports had been brought up on the previous day, on the petitions of certain inhabitants of Clyde, and on the petition of certain directors and managers of mining companies at the Thames gold field. A member of the House had taken part in the deliberations of the Committee who was not a member of it. The honorable member had been asked to form a quorum, and he attended under the impression that he had been appointed a member of that Committee, as a motion to have that honorable member's name added to the Gold Fields Committee appeared on the order paper, but that motion lapsed. If that honorable member had not been present there would not have been a quorum, so that the proceedings were invalid. He would ask that the House, under the circumstances, should give leave to have the two reports referred back to the Committee, for their reconsideration.

The SPEAKER said the state of things with reference to the proceedings of the Committee, as communicated to the House, was rather peculiar. It appeared that, under a misapprehension, a member of the House had taken part in the proceedings of the Committee, not having been elected a member of that Committee. He presumed that, under the circumstances, the proceedings in which that honorable member took part should be declared by the House to be invalid, and referred back to the Committee. Those proceedings were necessarily invalid, inasmuch as the honorable member had no authority to act as a member of that Committee.

Mr. MAIN then moved, That all the proceedings of the Gold Fields Committee, subsequent to the 31st August, are invalid, and that the records of those proceedings be cancelled in the minutes of the Committee, and that the reports presented by the Committee be cancelled in the journals of the House.

Mr. HALL suggested whether they were not proceeding somewhat hastily in the matter. He believed it was the first time that such a proceeding as that now proposed had been adopted, and it was, therefore, desirable they should be careful in laying down a precedent. He had no doubt the statement of the honorable member for Port Chalmers was perfectly correct, but they had only the statement of one honorable member of the Committee that the proceeding now spoken of had occurred. If they were to act on the assumption that the irregularity had occurred, they ought to have some official record of the fact, and not act upon the mere statement

of one honorable member. That might be an inconvenient precedent.

The SPEAKER said he had a copy of the minutes of the proceedings of the Committee, which he would ask the Clerk to read, so that the House might be in possession of what had taken place before the Committee.

Mr. HALL wished to know if that would be entered on the journals of the House, and also the fact of the way in which the House came into possession of the information. It would be referred to hereafter as a precedent.

The SPEAKER said it would be recorded that an extract of the minutes of the Committee was read, and that a motion upon it was made in the House.

The CLERK read the minutes of the proceedings of the Committee when the two reports alluded to were adopted.

Mr. SWAN said the honorable member who had taken part in the proceedings of the Committee, not being a member of it, was an honorable member who had been finding fault with the proceedings of the Committee during the session. There had been great misunderstanding with respect to the functions of that Committee during the session, and he did not think the appointment of it had done any good to the gold fields. Under those circumstances he would move that the Gold Fields Committee be discharged.

Mr. BRADSHAW, in the absence of the honorable member for Newton, might state why that honorable gentleman took part in the proceedings of the Committee. The Committee had been summoned as usual, but there was not a quorum present. The indefatigable Chairman, Mr. Main, went out and found the honorable member for Newton in the library, and told him that he was a member of the Committee, and requested his attendance. It was under those circumstances that the honorable member attended and took part in the proceedings of the Committee.

Mr. GILLIES confirmed the statement of the honorable member for the Gold Fields Towns. The mistake was accounted for by the fact that there was a notice of motion on the order paper that the name of the honorable member for Newton should be added to the Committee, but it appeared that that had not been done.

Mr. HAUGHTON said that no honorable member had any right to take part in the proceedings of a Select Committee until formal information that he had been appointed on it had been sent to him by the Clerk of the House. He would suggest, for the information of ambitious Chairmen of Committees, that the whole proceedings of this Committee should be printed. He did not think it would cost much, as the whole of their proceedings would not amount to much more than twenty lines altogether.

Mr. RICHMOND thought the right course would be for the Committee itself to meet and come to some resolution on the subject, and report to the House.

Mr. JOLLIE was not in the House when the motion was proposed, but having heard a motion

read for repudiating the proceedings of a Select Committee, he would like to ask whether the proceedings of that Committee had been so seriously affected by the honorable member for Newton being present and taking part in them, as to render it necessary that the House should set aside the decision of the Committee or discharge the Committee itself. He thought that was a grave step which should not be taken without absolute necessity.

Mr. W. WOOD said that, in the event of its being thought desirable to adopt the amendment, it would also be desirable to tack the amendment on to the original resolution, so that the proceedings which took place in that Committee when the honorable member for Newton was present should not appear as part of the proceedings, even if the other proceedings of the Committee should remain upon record. It would be desirable that that portion of the proceedings should be expunged, even if it was thought desirable to dismiss the Committee.

Mr. BARFF said that it appeared to him that the honorable member for Port Chalmers had pursued a very peculiar course. He would strike from the records of the House the entire proceedings of the Gold Fields Committee for the session.

The SPEAKER said the honorable member did not clearly understand the question. It was proposed to expunge only that portion of the proceedings which took place when the honorable member for Newton was present, he not being a member of the Committee.

Mr. BARFF said it was the honorable member for Port Chalmers himself who introduced that stranger into the Committee. He thought that honorable member ought to have been the last person to bring such a matter forward.

Mr. CARLETON would offer no opinion on the point of order without further consideration; but he desired to say that the motion as it stood at present was scarcely fair towards the honorable member for Newton, because, if that motion were carried without his explanation—which he had no doubt would be satisfactory to every fair-thinking man in the House—it would appear as though the honorable member for Newton had intruded himself upon the Committee, whereas in point of fact he was taken there by the Chairman of the Committee himself, under the impression that he had been duly appointed. He should be the very last man to attempt to shield any member of the House if he did anything of the kind intentionally; on the contrary, he should be the very first to denounce such a proceeding; but in this case it was clearly nothing but a mistake, and, if the motion were carried as it stood, a record would go down of the irregularity without any record of the mistake. He would, therefore, move as an amendment, to leave out the words “which Mr. Creighton took any part are invalid, inasmuch as Mr. Creighton is not a member of the Committee,” with the view of inserting the following:—“that all the proceedings of the Gold Fields Committee subsequent to the 31st August are invalid.”

Mr. SWAN would be glad to accept the

amendment of the honorable member for the Bay of Islands, if he would tack on his (Mr. Swan) amendment to the end of it.

Mr. MERVYN hoped that the House would not agree to the proposition of the honorable member for Franklin (Mr. Swan), to discharge that Committee, which would be tantamount to a grave censure upon a Committee of that House. At the last meeting of the Committee he (Mr. Mervyn) did not receive any notice. He was given to understand, by the honorable member for Clutha, when he came into the House, that the notice intended for him inside was addressed to that honorable member outside, which accounted for his (Mr. Mervyn) not receiving it. The honorable member for Franklin had assigned no good reason why that Committee should be discharged; he trusted, therefore, that the indignity which the honorable gentleman sought to place upon that Committee would not be assented to by the House.

Mr. W. WOOD thought that too much importance could not be attached to the question of giving members notice when they were expected to attend meetings of Select Committees. Only a few days since, a Committee, of which he was a member, met, and although he became aware of its meeting, and was present, he had had no notice given. In this case it would be necessary, if they expunged any part of the proceedings of the Gold Fields Committee, to place on record their reasons for doing so.

The SPEAKER said it would not be proper to put the amendment of the honorable member for Franklin, to discharge the Committee. It was one thing to amend the report, but it was quite another thing to discharge the Committee altogether. If any honorable member thought that the Committee ought to be discharged, the proper course would be to give notice of a motion to that effect.

Mr. DIGNAN hoped the House would not come to a hasty conclusion on this matter. He admitted that there was an irregularity in the proceedings of the Gold Fields Committee, but it was not the member for Newton that was culpable in the matter, but the Chairman and other members of the Committee, who knowingly and wilfully allowed him to take a part in the proceedings of a Committee of which he was not a member. He thought that they would be doing an injustice to the honorable member for Newton in deciding upon the matter in his absence. He therefore moved the adjournment of the debate upon that resolution until the honorable member for Newton was in his place, in order that he might have an opportunity of giving the House an explanation upon the subject.

Mr. TANCRED would second that amendment. Before they discharged the Committee they should state the reasons for it. What they really wanted to do was to establish a precedent as to what was to be done in similar cases in future. The amendment of the honorable member for the Bay of Islands would strike out all explanation of the reasons why the proceedings of the Committee were to be invalidated. The original motion did

that to a certain extent—that Mr. Creighton was not a member of the Committee, and therefore the proceedings in which that honorable member took part were invalid. It appeared to him that the question should be referred back to the Committee, with instructions to draw up reasons why the House should declare their proceedings to be invalid.

Mr. CRACROFT WILSON, C.B., thought the proposal of the honorable member was a very hard and harsh one. He thought it was bad enough to have one's face blackened by other persons, but to be asked to blacken one's own face was rather too much.

Question put, "That the motion be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	34
Majority against	...	...	...	...	28

AYES.

Mr. Brown,
Mr. Clark,
Mr. Curtis,
Mr. Munro.

Tellers.

Mr. Bunny,
Mr. Swan.

NOES.

Mr. Baigent,
Mr. Barff,
Mr. Borlase,
Mr. Bradshaw,
Mr. Brandon,
Mr. Carleton,
Mr. Carrington,
Mr. Dignan,
Mr. Driver,
Mr. Eyes,
Mr. Fox,
Mr. Haughton,
Colonel Haultain,
Mr. Jollie,
Mr. Kelly,
Mr. Ludlam,
Mr. Macandrew,
Mr. Macfarlane,

Mr. Main,
Mr. McGillivray,
Mr. McIndoe,
Mr. Mervyn,
Mr. O'Neill,
Mr. Parker,
Mr. Peacock,
Mr. Stafford,
Mr. Tancred,
Mr. Taylor,
Mr. Vogel,
Mr. Wells,
Mr. J. C. Wilson, C.B.,
Mr. W. Wood.

Tellers.

Mr. Kynnersley,
Mr. Richmond.

The amended motion was consequently negatived.

Mr. TAYLOR moved that the documents presented to the House by the Chairman of the Gold Fields Committee, on the first day of September, purporting to be reports of that Committee, be expunged from the journals of the House, they not being reports of the said Committee.

Motion agreed to.

Mr. BRADSHAW moved that the following words be added:—"It having been brought to the knowledge of the House that on the occasion in question there was no quorum."

Motion agreed to.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following Messages from the Legislative Council:—

That the Council agreed to a free conference with the House of Representatives on the subject of their amendments in the Curators of Intestate Estates Bill, and had appointed three managers to conduct the same on their behalf, and fixed the hour of half-past ten o'clock a.m., in the Legislative Council Committee-room, on Saturday next, as the hour and place of the conference.

That the Legislative Council agreed to the amendments made by the House of Representatives in the Crown Grants Bill.

That they had passed the Wellington Gas Bill with an amendment, which was ordered to be considered next sitting day.

SUPPLY.

The resolutions reported to the House from Committee of Supply were read a second time, and agreed to.

On the question that the House go into Committee of Supply,

Mr. VOGEL wished to take the opportunity of saying that the Government would make arrangements so that there should be vessels ready to go north and south at the conclusion of the session, and that it would be very undesirable for members to leave before that time. He believed a very few days would see the end of the session, and he did not at all understand how honorable members could, consistently with their public duty, leave at a time when there was undoubtedly a great deal of important business yet to come on, and business which, though exceedingly important, would not occupy a long time. They might confidently rely that three or four days next week would end the business of the session; but, during those days, most important business would be brought before the House. The Government could not be charged with deferring important business for the purpose of hurrying it through the House, for they had brought on business as fast as possible, and there had been no lack of important public business. Honorable members should consider that the session had not yet lasted even three months. He trusted the assurance of the Government, that there would be facilities for honorable members reaching their homes, would be sufficient to induce them to remain until the end of the session.

Mr. PEACOCK said it was hardly fair for the Colonial Treasurer to accuse honorable members of neglecting their public duties, as a great many had remained at considerable inconvenience. Himself and several others had made arrangements with the owner of a steamer to have her detained until to-morrow, and he really could not see how it was possible that the Government could make such an arrangement as the Colonial Treasurer had stated, because he believed all the steamers were going North.

Mr. STAFFORD said, on general principles and as a general rule, he quite agreed with the Colonial Treasurer, that gentlemen had no right to undertake public duties, the importance of which could not be over-estimated, unless they were determined to make every effort to

finish them. At an early period of the session most important questions were submitted by the Government to the House, which were still in a very large measure undecided, because they knew that even those portions of them that had passed the House were not likely to pass the other Chamber in exactly the same shape, and that the consideration of amendments would come before the House, and those important measures required still to be supplemented by Bills which had not yet passed that House. At the same time, he thought honorable members had, to some extent, a right to complain. Within the last week the Government had brought down a great number of new Bills of an intricate character, which were being passed through both Chambers—Bills largely altering the law, and very largely affecting commercial practice and commercial property—and which, he ventured to say, were being hurried through both Houses in a most unsatisfactory way, and in a way likely to produce all that dissatisfaction and those evils which were complained of with regard to the existing law on the subjects to which they related. That very day there appeared notices for three new Bills to be introduced by the head of the Government, and at the same time the honorable gentleman informed the House that the session was likely to conclude in three or four days. In the other House a member of the Government had given notice of three new Bills, one of them a very important measure. He therefore thought honorable members had a right to complain that, at that period of the session, Bills of which no notice had been previously given should be brought in by the Government in both Houses. They could not be expected to remain for an indefinite period, as long as the Government showed a disposition to be inexhaustible in the matter of Bills, turning themselves into a kind of ornithorhynchus, often referred to as a beast with a bill. He thought that, in reference to the remarks of the honorable member for Lyttelton, the House had a right to know what were the arrangements made with a view to steamers being in readiness to convey honorable members away next week. He was as anxious as any member to go away on the following day, although, if he did so, it would be the first occasion during the period for which he had had the honor of holding a seat in the House that he would have left before the session was concluded. He was content to remain another week if he were assured that there would, as stated, be steamers ready to take members away.

Mr. HALL wished to know from the Colonial Treasurer when the return of advances outstanding on the 30th of June, which was ordered by the House about two months previously, would be laid upon the table, and also a copy of the correspondence with the Crown Agent.

Mr. VOGEL said that the return asked for had already been laid upon the table; as to the correspondence, he believed that that also had been produced. If such had not been done, the honorable member's wishes would be complied with as soon as possible.

Mr. CREIGHTON said that, with the permission of the House, he wished to make a personal explanation. He regretted that he was not present when the motion relative to the Gold Fields Committee was before the House, but he would avail himself of that opportunity to explain the circumstances under which he attended the meeting of the Gold Fields Committee and voted. He was in the library when asked by the honorable member for Port Chalmers, the Chairman of the Committee, to attend the meeting for the purpose of making a quorum, telling him at the same time that he (Mr. Creighton) had been appointed a member of the Committee. He declined, and stated that he did not think the honorable member for Clutha was serious when he had given notice of motion to place him on the Committee, but that he had done so in consequence of the action that he had taken in reference to a report of the Committee. In a few minutes afterwards the honorable member for Port Chalmers returned, and again asked him to attend the meeting to form a quorum, assuring him that he had been added to the Committee. He (Mr. Creighton) told him that he had not received a summons to attend, and that he was not aware of his having been appointed on the Committee. He was again assured by the honorable member that he had been appointed, and he requested him to attend the meeting, in order to enable the Committee to discharge some important business. He accordingly accompanied the honorable member, who intimated to the Clerk that he (Mr. Creighton) was a member of the Committee, and directed him to enter his name on the minutes. He might say that, though he was not aware whether the motion of the honorable member for Clutha had been moved or not, he had acted in good faith, and upon the assurance of the honorable member for Port Chalmers. He regretted that, through any inadvertency, he had led to an irregularity on the part of the Committee. It was without any intention to do so, as he had been misled by the honorable member for Port Chalmers.

The SPEAKER stated that nothing had been said in the House affecting the conduct of the honorable member.

Mr. CREIGHTON said he had been given to understand outside, from the Chairman of the Gold Fields Committee, that some remarks had been made in reference to his conduct in the matter.

Mr. MACANDREW said that he had been perfectly in earnest when he gave the notice proposing that the name of the honorable member for Newton should be added to the Committee. The motion was called on about two o'clock in the morning, during his absence, and in that way it had lapsed.

Mr. VOGEL, in reference to the remarks of the honorable member for Timaru, wished to say that he had been surprised by a great many things during the session, but by nothing more than what had been stated by the honorable

member. He had endeavoured to do, in the most unassuming manner, what the honorable member himself had done, on many occasions previously, in a very high-handed manner, when he had lectured members upon their duty to remain until the end of a session. The honorable member had often stated that it was within the privileges of the Government to bring down Bills until the very end of the session, and honorable members had no right to complain of such a course being adopted. He had heard the honorable member state that in and out of office. He had heard him state it in Auckland, in 1863, during the notable dispute about the Waitara. He did not, therefore, understand why the honorable member should take exception to the course pursued by the Government.

Mr. STAFFORD did not take exception; he agreed with the general principle.

Mr. VOGEL said that the honorable member stated the Government should have given notice of these small Bills.

Mr. STAFFORD said he had only thought it was somewhat inconsistent for the Government to say that the session would close in three days, and at the same time give notice of bringing in five new Bills.

Mr. VOGEL thought the inconsistency lay with the honorable member, in questioning the right of the Government to bring down Bills near the end of the session. It was not the fault of the Government that the business should be protracted beyond the time desired by honorable members. As to the Bills to be introduced, they were of a technical character, about which there would be no discussion. He was not prepared to say that there were not Bills upon the paper which it would be desirable to "slaughter," but the Government, if possible, would avoid doing so. There was not, however, likely to be a more wholesale massacre than on previous occasions.

Mr. CARLETON did not complain of the length of the session, and he thought that the amount of actual work done would compare favourably with previous sessions, notwithstanding that the House had been engaged for nearly a fortnight in discussing what was equal to a vote of want of confidence in the Ministry.

Mr. VOGEL believed that, at the end of the session, the Statute Book would show that the House had not been engaged in considering merely barren resolutions.

The House then went into Committee of Supply.

IN COMMITTEE.

CLASS VII.—MISCELLANEOUS, £16,152 17s.

Mr. RICHMOND again called attention to the item, Compensation to Thomas Goodison, £175, and said that he understood the Government themselves were not anxious that this amount should be voted by the House, and he therefore moved that the item be struck out.

Mr. KELLY had heard, outside the House, that the man was entitled to compensation, and he suggested that some explanation should be given why the amount should not be paid.

Mr. RICHMOND explained that Mr. Goodison

had lived at Otaki some years, and had become bankrupt, apparently without any assets whatever. Certain stock, however, which were generally believed to belong to him, turned out to be the property of his sons. Shortly after that, a number of cattle were stolen and driven away. Some of them, it was clearly shown, had been feloniously taken, and they were traced to Hokitika, where they had been shipped off, and the owners were prevented from recovering them. Suspicion, almost amounting to certainty, pointed to the sons. The persons from whom the cattle had been stolen were principally Natives in Otaki, and, on finding that they could not recover their property, and there being, to their minds, clear evidence as to who took them, they determined to obtain "utu," and took away a number of Goodison's cattle. The young men went off on horses belonging to the Natives. He (Mr. Richmond) arrived at the time they were in the act of "muruing" the house in which Goodison lived, and he succeeded in stopping them. His exertions in protecting Goodison were taken advantage of by the man who asked the Government to compensate him for the losses he had sustained by the Natives. The cattle which, on the bankruptcy, had been the sons, had now reverted to the father, according to his statement. Since that time his sons had been convicted of having stolen cattle, and he (Mr. Richmond) did not see why the man should now come before the House and ask for compensation. He would not stand in the way of seeing justice done where a man had suffered by any deficiency in the law, but in this case it was altogether different. The whole transaction was one of a very suspicious appearance, and he did not see why the country should be saddled with an expenditure of £175 to compensate this man. On the whole, he thought it would be much better that the vote should be deferred, until some further information had been obtained in reference to the transaction.

Mr. MACANDREW asked if the case had been before the Public Petitions Committee, or any other Committee. If the vote were the result of the recommendation of a Committee he would certainly support it.

Mr. McLEAN did not believe that it had been, but he found, on reference to the papers of the House, that a report upon the case had been laid upon the table. The report had been made by Major Edwards, who was appointed to investigate the case, and recommended compensation at the rate of £5 a week for thirty-five weeks for losses sustained by Goodison in having his horses and drays taken from him. He had no personal knowledge of his own upon the subject, but believed the honorable member for Grey and Bell, who was Native Minister at the time of the occurrence, had stated its history correctly. Seeing that a Government officer had reported that Goodison was entitled to compensation, he had thought it right to put the amount down on the estimates, and should vote for it if it came to a division.

Mr. CRACROFT WILSON, C.B., said, in

reference to the inquiry of the honorable member for Clutha, as to whether the case had been submitted to any Committee, he would read to the House a report of the Public Petitions Committee of last session upon the subject. [The honorable member read the report of the Public Petitions Committee referred to.] He had heard that Major Edwards had subsequently inquired into the case, and he presumed that the sum placed on the estimates was recommended as the result of that investigation. The Committee did not recommend that any particular sum should be granted.

Mr. JOLLIE thought that the matter required further consideration, as there was, on the one side, the report of Major Edwards, who investigated the case, recommending that this amount should be paid, and, on the other side, there was the statement of the late Native Minister and the present Minister for Defence, that there was considerable doubt as to the propriety of the payment. For his own part, he was rather disposed, under the circumstances, to go with gentlemen who, as Ministers of the Crown, should have an influence over the proceedings of the Assembly, and might be supposed to be best acquainted with the actual facts, and against the report of their officer; but in whatever direction action was taken in this matter, it would apparently be in the face of very strong testimony.

Mr. RICHMOND said that the conviction of one of the sons had taken place since the date of the report of Major Edwards, and, from certain circumstances, it would not be proper to vote the money for the father.

The motion that the total vote be diminished by £175 was agreed to.

Mr. MACANDREW would like to have some explanation in respect to the item, £800 for purchase of Clocks and Transit Instrument for Observatory.

Sir D. MONRO read an extract from the report of the director of the geological survey staff, which explained, in detail, the establishment of an observatory for the purpose of affording the correct mean time to every part of the Colony to which there was telegraphic communication, and which showed that the total cost had been about £170. He understood that the cost to the Provincial Government had been upwards of £1,000, and that the General Government had purchased the instruments, fittings, &c., for a very much less sum. The work had been done most ably, efficiently, and economically. A purely colonial object had been obtained in this way at a greatly less cost than if the work had been performed in a commercial way, and also at a greatly less cost than had been incurred in the other colonies for similar establishments. The Colony was much indebted to the Rev. Mr. Stock, to Mr. Kebble, and to Dr. Hector, for the great assistance they had rendered in this matter.

Mr. MACANDREW desired to say that the Province of Otago had expended, on similar institutions, ten times as much as the Provincial Government of Wellington, and if the Colony took over the Wellington establishment it should

also take over that of Otago, which had been in existence for some years, and had cost a considerable sum. It was hard that Otago should be called upon to pay a part of this item when there was an establishment sufficient for all purposes in that Province from which the true time could be telegraphed as far as the wires extended. There was a large number of testimonials from captains of vessels as to the agreement of the time given by that observatory with the Greenwich time.

Mr. HALL said that two sessions ago a resolution was passed by that House, to the effect that it was desirable that mean time should be kept at every place in the Colony to which there was telegraphic communication. At that time the instruments by which correct time was ascertained were the property of the Provincial Government of Wellington, and the correct time was furnished to the telegraph office by the Rev. Mr. Stock, who made the necessary observations gratuitously. By the erection of the telegraph office the sight from the provincial observatory was obstructed, and observations could no longer be made, so that it became necessary to erect a new building. It was then proposed to hand over the instruments to the General Government, on condition that a sum should be proposed to the Assembly in payment to the Province. The General Assembly having declared that New Zealand mean time should be adopted all over the Colony, it was clear that it must provide whatever sum was necessary for the purpose of this time being correctly ascertained. He could not see what the General Government wanted a second establishment for.

Mr. MACANDREW said that, when one institution was already in existence, he could not see the use of a second. The Province of Otago was willing to hand its establishment over to the Colony for nothing.

Mr. HALL said that the instruments had been in use in Wellington for years past, and it was well that they should be continued.

Mr. PEACOCK did not object to the vote, but he desired to take the opportunity of again impressing on the Colonial Treasurer the necessity for having a time ball at Lyttelton, for the convenience of the shipping of that port.

Mr. HAUGHTON thought this was a good instance of provincial extravagance—the Province of Wellington had erected an establishment for £1,000, which it afterwards sold to the General Government for £300.

Mr. CRACROFT WILSON, C.B., objected to the item, £279 10s. for compensation to John Runciman, being charged to the Colony. He would move that the total amount be reduced by that sum.

Mr. DIGNAN said that this amount should not be a provincial charge. It had been incurred some years ago, in the war in the Waikato. The honorable member for Coleridge should not take exception to this small amount, when he passed over millions without remark. The sum which was placed on the estimates was not by any means sufficient to compensate for the loss which had

been sustained. The injury had been inflicted not by Provincial but by Imperial authority.

Mr. CRACROFT WILSON, C.B., thought that the honorable member would be more correct if he inverted his remark in respect to voting millions; the millions had passed over him (Mr. Wilson), he had not passed any portion of the loans.

Mr. CREIGHTON said that the Public Petitions Committee and the House had, on several occasions, decided against the views of the honorable member for Coleridge, and he hoped that the House would not stultify itself by throwing out this item.

Mr. CRACROFT WILSON, C.B., said that, in 1866, the Public Petitions Committee were unanimously of opinion that the petitioner had no claim whatever against the Colony. This year a majority of the Committee was of opinion that the amount of the award ought to be paid, minus the sum which the petitioner had received when the transaction was cancelled by the officer in command. He was of opinion that the amount should not be voted.

Mr. CREIGHTON said that the first report which the honorable member had brought up in this matter was based on an *ex parte* statement, which, on several essential points, had been clearly disproved before the Committee this year. Not only did the petitioner not go beyond the authority he had received, but he had obtained the permission of the commanding officer in the Waikato district, and the commandant at Cambridge, to do what he did. He trusted that the Committee would not refuse to do substantial justice to the petitioner.

Mr. PEACOCK would vote for the item. The Committee had been almost unanimous in the opinion that it was a just claim.

Question put, "That the total sum be further diminished by the item 'Compensation to John Runciman, £279 10s.' being expunged," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	30
Majority against	...	...	...	...	22

AYES.

Mr. Fox,	Mr. W. Wood.
Mr. Haughton,	
Sir. D. Monro,	<i>Tellers.</i>
Mr. Rolleston,	Mr. Kynnersley,
Mr. Vogel,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Baigent,	Mr. Mervyn,
Mr. Barff,	Mr. Moorhouse,
Mr. Bunny,	Mr. Munro,
Mr. Carrington,	Mr. O'Neill,
Mr. Clark,	Mr. Ormond,
Mr. Curtis,	Mr. O'Rorke,
Mr. Driver,	Mr. Parker,
Mr. Eyes,	Mr. Peacock,
Mr. Gillies,	Mr. Swan,
Mr. H. S. Harrison,	Mr. Taylor,
Mr. Kelly,	Mr. Wells,

Mr. Kerr,
Mr. Ludlam,
Mr. Macandrew,
Mr. Main,
Mr. McLean,

Mr. Williamson.

Tellers.

Mr. Creighton,
Mr. Dignan.

The amendment was consequently negatived, and the item agreed to.

Mr. SWAN moved that the item, Repairs to Government Buildings and Erection of New Offices, £6,000, be reduced by £4,000. He was sure that the sum of £1,000 would be quite sufficient to repair the roofs of the building, and that the offices required could be erected for £1,000.

Mr. HAUGHTON was sorry to see the item placed on the estimates, as he was in hopes that a much larger sum would have been put down for the erection of new buildings. There was no doubt that honorable members had suffered inconvenience and loss of health in being obliged to sit in the present building. There was no accommodation for the public, and, if they wanted a healthy growth of public opinion, the public should have an opportunity of seeing and hearing what took place in the Assembly. He presumed the Government had obtained some information as to what the proposed alterations and improvements would cost, and had asked for the vote of £6,000 accordingly. He thought the honorable member for Franklin should have fortified himself with some information before moving such an amendment.

Mr. SWAN knew what accommodation could be provided in wooden buildings for a sum of £1,000, and he knew that the roofs could be repaired for less than £1,000.

Mr. HALL trusted the Government would inform the Committee as to what they proposed to do with the money. The attention of the Government should be specially directed to the improvement of the ventilation of the House of Representatives, the atmosphere of which was really injurious to health. The only advantage of the present House was, that honorable members could experience, without the trouble of travelling, the temperature of the torrid zone by going to one part of the room, and the temperature of the arctic regions in another, and also realize something of the atmosphere of the black hole of Calcutta. The rooms at the end of the present chamber might be thrown into the assembly-room, and thus provide more accommodation, and a private room for the Speaker be erected at the north end of the building. Something should be done to make the chamber decently comfortable and healthy; the money should not be spent on mere ornament.

Mr. MACANDREW would support the amendment. They were altogether in a transition state, and, for the next year or two at all events, the Parliament of the Colony should be peripatetic, and the next session should be held either in Auckland, Christchurch, or Otago. At present, members from one part of the Colony did not know the wants of the other parts of the Colony. They should not incur a great expenditure on the

buildings at present. He thought an iron roof could be placed on the buildings for £1,000. He agreed with the Colonial Treasurer that, if they were to have one united Colony, they should have a Washington, and it should be taken out of one particular Province. That was not the proper place to erect Assembly buildings, and there were far better sites in Wellington. It would be unwise to burden the country with anything like an expenditure of £6,000 in patching up the present buildings, when £2,000 would be sufficient to meet the present requirements. He did not see any necessity for paying rent for some of the offices at present used, and he trusted the Government would go in for a system of departmental retrenchment, as the departments were growing to an enormous extent.

Mr. FOX could not agree with the amendment, or with the views expressed by those who supported it. The Government must have accommodation in order to carry on the business of the public service, and they had given the subject a great amount of consideration, and had decided to ask for a vote of £6,000, to erect new offices and put the present buildings in a proper state of repair. Failing the carrying out of the larger proposal recommended by the Select Committee of both Houses, which would entail an expenditure of £20,000 or £30,000, it was absolutely necessary that new offices should be erected. Honorable members could not know the inconvenience to which the Government and their officials were subjected. They would have to add other departments in connection with public works; they would have a Minister of Public Works and subordinate officers, and the present buildings could not afford the required accommodation, and it would be too expensive to rent offices. The Government had consulted with the colonial architect, and they did not see how they could propose anything more economical. If only £2,000 were to be voted, nothing could be done—they would have to pay increased rent, and to put up with a great amount of inconvenience. What the Government proposed was nothing more than was absolutely necessary for the safety and security of honorable members,—who had no security for life in the present state of the buildings,—and for the proper performance of the duties of the public service. If the House thought proper to accept the views of the honorable member for Franklin and the honorable member for Clutha, they would also have to accept the responsibility.

Mr. EYES was almost inclined to support the amendment, in order that, if the sum were reduced, the Government would not be able to do anything in the matter. It would be a great mistake to patch up the buildings, as, when the money had been expended, the accommodation would still be inadequate. He would rather the Government had acted upon the report of the Select Committee, and placed a sum on the estimates for the erection of new buildings.

Mr. BUNNY thought it would be a pity to continue patching the present buildings. He felt satisfied that the whole room now occupied

by the Assembly would be no more than the Government would require as offices, and the cheapest thing for the Colony would be to erect new buildings. Nothing could be more inconvenient than the present buildings. No doubt, as the honorable member for Clutha had said, they were now in a state of transition, but if the colonial scheme of the Government were carried out, Wellington would, from its central position as regarded railway works, take the highest position; it would become the great city of the Colony. A great deal of abuse was heaped upon it, but it would live down that abuse. Even with all its drawbacks, Wellington could not be prevented taking a high position in the Colony.

Mr. VOGEL was strongly of opinion, and always had been so, that the notion that the part of the country around Wellington was so subject to earthquakes that it was dangerous to put up a substantial building, was not borne out by facts. He had heard from very good authority that by far the most severe earthquakes that had been felt in this country were felt in the neighbourhood of the Bluff and Stewart's Island, and he did not think that the physical circumstances of the country had undergone any change in that respect. If the Government erected proper and substantial buildings, it would be a means of showing that a good building could be put up with safety. The present buildings certainly did not do much credit to the Colony. The sum of £6,000 at 5½ per cent. represented about £350 per annum, and it would be more economical to put up a building and cease to pay rent for office accommodation, as was done at present, to an extent of nearly £800 per annum. Supposing the Assembly should be removed hereafter to some other part of the town, the Government would still require additional offices. The measures which had been passed this session would necessitate, in the course of time, a very large increase in the accommodation in the Government offices. The way the clerks and records were cooped up now, was not consistent with the efficient carrying on of the public business. Honorable members, too, on arrival here, were entitled to more accommodation than they had at present. He must compliment the House Committee on the fact that the accommodation this session was better than they had had during previous sessions; but honorable members should not be put to the inconvenience to which they were at present subjected. The accommodation in Bellamy's was not sufficient. There should be something more than Bellamy's—something like a club established for the convenience of members. He believed they would find the session shortened by such an arrangement, as the discomforts to which honorable members were subjected at present had the effect of driving them into the House to talk against their better judgment. It was not correct to say that the Government had prepared a plan for these additional buildings; the amount which they had put down on the estimates was merely an approximation to what might be required. There had not been time to prepare a plan. A

certain amount of expenditure was necessary in order to make the buildings safe, and a certain amount of additional accommodation was required in order to lessen the present rentals. As to whether they were to spend £30,000 in the erection of new buildings, was a question upon which the Government had come to no conclusion whatever. The Government were not prepared to make such a proposal this session. Next session the House might determine whether it would expend that sum in the erection of a new building, or put it off for two or three years; but the Government said that they must make the present building safe, and must provide fresh offices for the accommodation of those who were engaged in carrying on the public business.

Mr. HALL said the honorable gentleman had made a long speech, but he had not answered his question. He wanted to know whether the Government was going to take in hand the ventilation of that House?

Mr. BARFF wished to protest against some of the remarks of the member for Heathcote. The honorable member said they wanted more ventilation; for his own part, he thought the House was too much ventilated.

Mr. HALL said they wanted more proper ventilation.

Mr. BARFF said the real secret of the climate of the House depended upon the part of the House in which honorable members happened to sit. There were some remarkably snug corners in the House, and he only wished that he had one of them; but he himself, and some other honorable members who had been unfortunate enough to get between the entrance and the door of the Speaker's room, were exposed to great draughts, so that for them the session had been made perfectly miserable. He trusted that the Government would see its way to expend some of the £6,000 in improving the ventilation of the House, so that they might get through the session in comfort, instead of making it a perpetual nightmare, injurious to the health of the members.

Sir D. MONRO expressed his disappointment with regard to the course which the Government proposed to take on this important question. He thought that if the Government had taken into consideration the report of the Committee, and weighed the evidence they had adduced, they would have come to the same conclusion as the Committee on the subject. The Colonial Treasurer had told them that they intended to repair the present buildings, and to add to them. The conclusion which the Committee arrived at was, that it would be most economical to pull down the present buildings altogether, and to erect new offices for the Government, and select a fresh site for the legislative buildings. They had a rough calculation from the colonial architect, who thought that it could be done for £30,000. In an economical point of view, that would be the best plan that could be adopted. It would be a great saving to the country, both directly and indirectly—directly, in effecting a saving to the country in a pecuniary point of view, and indirectly, in the increased advantage which the

country would gain from the greater convenience given to the Government and to the Legislature. At present the Colony was paying for rent of buildings £600 a year. He understood from the Colonial Treasurer that he intended to spend £1,000 or £2,000 in repairing and patching up this building; but after they had spent the £2,000 in patching up an old building, full of grubs, which would find their way into the new work, they would find themselves, after all, with only a tumble-down, ricketty old building, which was of very little value, which required constant outlay upon it from year to year to keep it in repair and to make it tolerably safe, and which would always be uncomfortable and inconvenient to those who had to transact public business in it. That was a far more expensive mode of dealing with the matter than by doing it thoroughly at once. If the money for this purpose were not in the treasury at present, surely the credit of the Colony was not so bad that they could not borrow £30,000. If it could be done for that sum, the interest on that amount would be much less than they would otherwise have to pay, while the Colony would have more value for it, and the satisfaction which a properly-constructed building would give, and the facilities which it would afford for the discharge of those important functions which the Legislature and the Executive had to perform. The gain to the Colony would be very great over any advantage which could be derived from the course proposed by the Colonial Treasurer. The course which the honorable gentleman proposed would, it was true, effect a saving in the outlay of money in the meantime; but, without wishing to offend the honorable gentleman, it appeared to him (Sir D. Monro) to be a sort of penny-wise and pound-foolish policy. The most economical and the best course was to face the difficulty at once. For his own part, he would destroy those old buildings; he would burn them down, and replace them with new buildings properly constructed for their legitimate purpose. He thought that the real economy of the question lay in that direction.

Mr. VOGEL said the present buildings must be used in the meantime. The proposals of the Government were quite consistent with those of the Committee being carried out at some future time. They must make provision for carrying on the business of the country while the new buildings were being got ready. They could not get the new Legislative buildings ready under two years, and, in the meantime, they must have a place to meet in, and they must have Government offices. This was a question quite open for future consideration. He hoped the honorable member would not carry out his idea of setting fire to the present buildings, for that would be a very serious matter.

Mr. RICHMOND asked if it was intended to build some temporary place in which the Legislature might meet next year.

Mr. VOGEL said the Government intended to put up a building containing a number of rooms, and to use them for Government offices; whether

those rooms should be added to the existing building, or be separate from it, he was not, at present, prepared to say. But it was necessary that the present building should be repaired and additional offices put up for the purpose of carrying on the public business of the Government. The amount which had been put upon the estimate was supposed to be sufficient for that purpose. With regard to the ventilation question, so far as he was aware, it had not been considered by the Cabinet. If the honorable member would put a question respecting it on the notice paper, he would see that it was answered. All he could say at present was, that in making the roof of the building safe it would be quite necessary to attend to the ventilation.

Mr. RICHMOND hoped the honorable gentleman would recall his determination that the Government would not make any experiments in ventilation. That House was a *corpus vile* on which they could very well make the experiment.

Mr. O'NEILL did not think that ventilation was looked upon as an experiment at all—it might be done with perfect ease; but he thought it was a matter which might very well be left in the hands of the colonial architect, who would be able to provide for the efficient ventilation of the hall when putting on the new roof.

Mr. MACANDREW said if the House would only meet at ten o'clock in the morning, and confine its sittings to daylight, the whole question of ventilation would be got rid of.

Mr. HALL said his experience was just the reverse. The ventilator operated at night, but not during the day. The atmosphere of the House was more oppressive in the afternoon than it was at night.

Question put, "That the item £6,000 be reduced by £4,000," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	30

Majority against	...	...	20
			—

AYES.

Mr. Brown,
Mr. Clark,
Mr. Gillies,
Mr. Main,
Mr. McIndoe,
Mr. Mervyn,

Mr. Munro,
Mr. O'Rorke.

Tellers.

Mr. Kerr,
Mr. Swan.

NOES.

Mr. Barff,
Mr. Bradshaw,
Mr. Brandon,
Mr. Bunny,
Mr. Carrington,
Mr. Creighton,
Mr. Curtis,
Mr. Dignan,
Mr. Eyes,
Mr. Hall,
Mr. H. S. Harrison,
Mr. Jollie,
Mr. Kelly,

Mr. McLean,
Sir D. Monro,
Mr. O'Neill,
Mr. Parker,
Mr. Peacock,
Mr. Richmond,
Mr. Studholme,
Mr. Tancred,
Mr. Webster,
Mr. Wells,
Mr. Williamson,
Mr. W. Wood.

Mr. Ludlam,
Mr. Kynnersley,
Mr. McGillivray,

Tellers.
Mr. Collins,
Mr. Taylor.

The amendment was consequently negatived, and the item agreed to.

CLASS VIII.—DEFENCE, £11,198.

On the motion of Mr. McLEAN, the item, Officer Commanding Militia and Volunteers and Adjutant at Marlborough, £300, was reduced by £200.

Mr. EYES moved that the item be struck out altogether. The Committee had, on a previous occasion, reduced the rate for Volunteer and Militia purposes for Marlborough from £890 to £200, and it was now proposed to give an officer £100 to look after the expenditure of the £200. He would remind the Committee that four sessions ago the House consented to exempt the Province of Marlborough from the payment of any money at all under the head of Militia and Volunteers, and for two sessions no sum had been placed upon the estimates for the purpose. He hoped the Committee would assist him in endeavouring to have the item struck out altogether.

Mr. McLEAN said the amount covered travelling expenses, and was all the emolument the officer received for looking after the Volunteers and Militia in the Province of Marlborough. He considered the sum exceedingly small. It had been reduced from £300 in consequence of the previous reduction referred to by the honorable member. The officer could not be expected to visit the different posts, and look after the Volunteers in the Province, unless he received some remuneration, and it was in accordance with a general system that the Cadets and Volunteers in the different Provinces should be looked after.

Mr. BUNNY thought the item might be struck out. In his district they had only one paid officer, and the commanding officer did not receive anything. In a small Province like Marlborough, the officer might very well do the duties for nothing, as was done in other Provinces.

Mr. McLEAN said the opinion of all the people of Marlborough was not in favour of the reduction; two other honorable members who came from that Province offered no opposition whatever to the vote.

Mr. LUDLAM said that discussion brought out the false position in which the Volunteer question stood. He had no doubt the Superintendent of Wellington, when he returned, would, like the honorable member for Wairau, bring pressure to bear to reduce the expenditure on Volunteer and Militia purposes in his Province, on account of the state of its funds. It was a mistake to charge the votes provincially. The Government ought, during the recess, to consider the subject, with a view of submitting to the House, next session, an arrangement for the necessary protection and defence of the country, without reference to the Provinces in any way whatever. The charges on Wellington had increased immensely, and especially on the question of defence; in fact, the charges would amount almost to three times as much as those of last

year, and it should not be in the hands of the Provinces to destroy the local defences of the Colony through their impecuniosity.

Mr. VOGEL said what increase there might be in the provincial charges this year was entirely independent of the question of increasing the allowance to the Provinces.

Mr. LUDLAM said if the Province received 50 per cent. of its customs revenue, subject to certain charges for interest, the increase would be quite as great as it was at present.

Mr. EYES said, with regard to the duties of the officer in question, that they were simply confined to travelling, perhaps once a month or once in two months, a distance of ten or twelve miles in order to inspect some half dozen men. The real work had been done by the drill-sergeant, and that was the man he would like to see paid, if anybody was paid at all. He did not think the Defence Minister was justified in assuming that the Superintendent of Marlborough was in favour of the vote. When the sum of £890 came down in the first estimates, he consulted with that honorable gentleman upon the question, and he was almost inclined to agree with him (Mr. Eyes) that the whole sum should be struck off, and he stated that he would consent to the sum of £250 being placed on the estimates, conditionally, to be given to those men who really do attend to their drill, and he (the Superintendent) was not aware then, nor was he (Mr. Eyes), that this further sum was intended to be asked for. With regard to the remarks of the honorable member for the Hutt (Mr. Ludlam) he considered that they would only apply to the North Island. As far as Marlborough was concerned, it was a perfect farce to suppose that the small Volunteer force which was in existence there would be of the slightest use whatever. In his opinion it was only throwing money away. The only way in which he would be willing that money should be expended on account of Volunteers would be in the instruction of Cadets.

Colonel HAULTAIN would support the reduced vote, because the officer who had been doing the duties of commanding officer had performed them for several years without any remuneration at all. Although there had been no money voted by the House for the encouragement of the Volunteer movement in Marlborough, a force had always been kept up, and he thought they were now entitled to receive something. He would like to see the Defence Minister a little more consistent. He was urging very strongly that payment should be made to the officer commanding the Volunteers in Marlborough, but he did not place any sum on the estimates for the commanding officer at Southland, where there had always been a larger number of volunteers than in Marlborough.

Question put, "That the item be expunged," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	18
					—
Majority against	...	...	...	...	8
					—

AYES.

Mr. Barff,
Mr. Clark,
Mr. Macandrew,
Mr. McGillivray,
Mr. McIndoe,
Mr. Munro,

Mr. Taylor,
Mr. W. Wood.

Tellers.

Mr. Bunny,
Mr. Swan.

NOES.

Mr. Carrington,
Mr. Collins,
Mr. Curtis,
Mr. Dignan,
Mr. W. H. Harrison,
Mr. Kelly,
Mr. Ludlam,
Mr. McLean,
Sir D. Monro,
Mr. Moorhouse,

Mr. Ormond,
Mr. O'Rorke,
Mr. Richmond,
Mr. Tancered,
Mr. Wells,
Mr. Williamson.

Tellers.

Colonel Haultain,
Mr. Kynnersley.

The amendment was consequently negatived.

Colonel HAULTAIN called attention to the items unappropriated—Clothing of Militia, £7,000; Capitation, £1,000; Arms for Cadets, £1,000; and asked if those were to be made a provincial charge.

Mr. MCLEAN replied in the affirmative, and pointed out that that was the arrangement come to during the discussion upon the Militia and Volunteer Bill.

Colonel HAULTAIN was not aware that they were to be charged provincially. The effect of that would be—and he wished to draw the attention of the honorable member for Wairarapa, and other honorable members, to the fact—to increase the charge against the Province of Wellington in connection with the Militia and Volunteers to £8,626 for the year. He thought that the amount put down for clothing was excessive. He was one of those who was opposed to the principle of giving clothing to the Militia, as it seemed to him to be quite unnecessary to supply clothing to men who were only called out for two or three days in the year. He would therefore move, as an amendment, that the item for clothing, £7,000 be reduced by £5,000. He thought the item £1,000, arms for cadets, was too small. It had been the opinion of the Committee that the cadets should be encouraged in every possible way. The sum put down would only supply 300 stand of arms. If the cadets were to be encouraged, they should give them three or four times that number. He did not know what the feeling of the Committee might be with regard to the matter, but he would be in favour of giving a larger sum than £1,000 for procuring arms for cadets.

Mr. LUDLAM did not think that the item for arms should be charged provincially. That would be a mistake, inasmuch as arms could be removed from one Province to another. He agreed that the sum was inadequate for the purchase of arms for cadets; but he understood that when the rifles which were expected from England arrived, there would be a large number of carbines available. It was absurd to think that £1,000 would be sufficient to arm the present number of cadets, and those who were expected to join during the next two months. He disagreed with the amend-

ment of the honorable member striking off £5,000 from the item for clothing. It was a difficult subject to deal with, but the Militia had always received a pair of trousers and a blue shirt when called out.

Colonel HAULTAIN.—Not in the North.

Mr. LUDLAM said that the clothing would not be an annual charge, and, inasmuch as it was contemplated not to supply the Militia in towns, the amount required would not be so much as anticipated. He did not believe there were, in the Province of Wellington, 1,000 militiamen under arms. They could not expect to get good militiamen unless they gave them some sort of clothing.

Mr. BUNNY would vote for the £7,000, inasmuch as by that means those in his district would get something from the revenue of the Province. If all the revenue went to the provincial chest they would get nothing. He would certainly vote for the clothing, and he hoped the Government would give them clothing of a very good description.

Mr. KELLY thought that the Provinces could not afford to pay the Militia, unless on active service, and he would therefore move that the item £7,000 for clothing be struck out.

Mr. McLEAN said that the subject had been very fully discussed in Committee on a previous occasion. The intention of the Government, so far as the Militia were concerned, was not to supply clothing to those in towns, or the large centres of population, but to give it to those upon the frontier districts who were called out for duty or training and exercise. He found, on referring to the accounts of the department, that there was a considerable quantity of clothing on hand, which, to some extent, would meet the expenditure, and he would not therefore oppose a reduction in the item. The charge, however, would be provincial. The sum for arms was simply to make up the number to supplement those in hand, which were to be utilized for the cadets in various districts. He would not object to the item being reduced to £3,000.

Mr. RICHMOND.—In that case the Militia in towns will get bare training.

Mr. McLEAN said that the Militia in towns would very seldom be called out, and should not, therefore, receive clothing. It was only those upon the frontier districts of Waikato, Taranaki, Patea, and other similar districts, that would receive it.

Colonel HAULTAIN doubted if even £3,000 would be required for clothing, but he would accept that alteration in the amount. He thought that the Government should take care not to discourage the Volunteers. He was apprehensive that the arrangements contemplated would have the effect of diminishing their number. He thought it was only reasonable that the vote for clothing should be placed upon the defence estimates.

Mr. McLEAN did not think that there could be any reasonable ground of complaint on the part of the Volunteers, who received a capitation allowance of £2 10s. a year. The Government had placed the item for clothing on the estimates,

believing it would be required; of course, if such were found not to be the case, the expenditure would be saved.

Mr. LUDLAM thought the Volunteers had no ground for complaint inasmuch as their uniform would only cost 60s., and it would last for two years.

Colonel HAULTAIN said he would accept the proposal of the Defence Minister to reduce the item to £3,000.

Question put, "That the item be struck out," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	37
Majority against ...					29

AYES.

Mr. Brown,	Mr. Swan.
Mr. Eyes,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Munro,	Mr. Brandon,
Mr. Ormond,	Mr. Kelly.

NOES.

Mr. Baigent,	Mr. McIndoe,
Mr. Barff,	Mr. McLean,
Mr. Bradshaw,	Mr. Mete Kingi,
Mr. Carrington,	Sir D. Monro,
Mr. Clark,	Mr. O'Neill,
Mr. Collins,	Mr. O'Rorke,
Mr. Creighton,	Mr. Peacock,
Mr. Curtis,	Mr. Richmond,
Mr. Dignan,	Mr. Rolleston,
Mr. Driver,	Mr. Studholme,
Mr. Gillies,	Mr. Tancred,
Mr. Hall,	Mr. Taylor,
Mr. W. H. Harrison,	Mr. Vogel,
Captain Kenny,	Mr. Wells,
Mr. Kerr,	Mr. Williamson,
Mr. Kynnersley,	Mr. W. Wood.
Mr. Ludlam,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Bunny,
Mr. McGillivray,	Colonel Haultain.

The amendment was consequently negatived, and the item as reduced by £4,000 agreed to.

Colonel HAULTAIN would ask the Defence Minister whether he would not be content to add another £1,000 to the amount set down for purchase of arms for cadets?

Mr. McLEAN had found, upon going through the number of cadets, that the amount placed on the estimates for arms for cadets would be amply sufficient. There were 500 carbines coming out from England.

Colonel HAULTAIN.—Then the honorable member would have very few for cadets, as the cavalry and other corps would have to be armed with carbines. There should be special arms provided for the cadets. The greater number of cadets now enrolled had no arms at all.

Mr. McLEAN would promise the honorable gentleman that care would be taken that the cadets would be sufficiently provided with arms.

Mr. LUDLAM said that the £1,000 for arms should not be a provincial charge.

Mr. VOGEL said that the item must be charged to the Provinces.

Mr. LUDLAM could not see how the arms, which would not belong to the Provinces, should be charged to them, because they might be called in at any time by an order from the Defence Minister.

Mr. VOGEL said that if the arms were transferred from one Province to another the charge would also be transferred.

Colonel HAULTAIN said that it was a most exceptional thing, and, indeed, an impossibility, to attempt to charge arms to the Provinces.

Mr. BUNNY thought that if the amount were charged to the Provinces the arms should be their property.

Mr. McLEAN said that the cadets were the youths attending the schools in the various Provinces, and there would be no probability of those arms being removed. They would be different to those used for war purposes in the North Island, and would be specially suited for the cadets. In the Province of Nelson certain arms were recalled from the cadets, and it was considered to be a grievance, but it was now intended that they should remain in the Provinces. There was no objection to the arms being the property of the Provinces.

Mr. SWAN would like to know if the arms supplied to Natives were to be provincially charged, because, if so, the item for Hawke's Bay would be very large.

Colonel HAULTAIN said that the arms might be wanted in other Provinces, and there should be power to remove them if necessary. He would move that the item £1,000 for arms for cadets be struck out, so that another estimate might be brought down.

Mr. McLEAN said that a promise had been made that the cadets should be provided with arms, and he should object to the item being struck out.

Mr. LUDLAM said that it was absurd to talk of the arms being charged to the Provinces, because they would be received into the General Government store; and, besides, the Colonial Government must have the control of the corps. They might as well charge the Provinces with the arms for Volunteers.

Mr. VOGEL said that the honorable member showed a want of acquaintance with the administration of the Provinces. The provincial authorities could not take possession of the post offices and telegraph offices because they happened to be provincially charged. The provincial charges which were voted by the Assembly were for purposes over which the provincial authorities had no control. The difficulty existed solely in the imagination of the honorable member.

Mr. GILLIES supported the charge being made provincial, as it was very probable that the Provinces might have to use them.

Mr. BRANDON thought that the matter had not been fully considered by the Government. It was ridiculous to attempt to assimilate the arms to the property of the General Government in telegraph and post offices.

Mr. O'NEILL said that the necessity for training the cadets had been admitted by all, and that could not be done unless they were supplied with arms. The arms for cadets would be different weapons to those used in any other way. He should support the vote, and thought that it should be charged to the Provinces.

Motion, that the item be reduced by £1,000, negatived.

Item as reduced, £6,998, agreed to.

Special Fund, £4,000.

Mr. VOGEL said that it was proposed to limit the expenditure connected with the confiscated lands as much as possible, and an attempt would be made to constitute them waste lands available for the purposes of the immigration and public works scheme.

Mr. HALL would like to know, then, why this sum was required. He had understood that a sum of £15,000 had accumulated in the treasury to pay off these liabilities. Was the £4,000 to come out of the consolidated fund, and what was it for?

Mr. VOGEL said that it was estimated that the amount referred to by the honorable member would be available. The sum of £4,000 was on account of surveys, for which a considerable expenditure had been incurred last year, but this year it would be much curtailed. The Government would endeavour to have those lands surveyed into blocks, for the purposes of immigration and public works.

Item agreed to.

Land Fund, £3,320.

Mr. BRANDON said, with respect to the item £500 for Commissioner of Crown Lands and paymaster of roads, Wellington, that it was improper to mix up the remuneration for the two duties, general and provincial. The Commissioner was entitled to receive his salary under Act of the General Assembly, and it would be better to reduce the item by £200, making £300 for the Commissioner of Crown Lands, and leaving it to the Provincial Council to vote the balance. He would move that the item be reduced by £200.

Mr. VOGEL said he had always considered that it was a mistake to have these sums voted by the Assembly. It was only in obedience to the Act which had been passed last year, in a thin House at the end of the session, that the Government came down with these estimates. If the provincial authorities had control over the lands, it was absurd that the General Assembly should authorize the General Government to pay for duties which it could not supervise. It was quite logical that the portion of the salary for the paymaster of roads should be voted by the Provincial Council.

Mr. LUDLAM could not allow the honorable member to repeat that the Bill was passed without due consideration by the House. It was deliberately brought in and discussed, and passed when there were a large number of members in the House. It was the opinion of a great many honorable members that the salaries of Crown Lands Commissioners should be voted by the House, so as to render them independent of Provincial

Governments. It was especially desirable that such officers should be outside the control of Provincial Governments, as those officers held a very large power, which could be used for their friends or against their foes. The House had acted wisely in passing such a law. He would support the motion of the honorable member for Porirua. If they paid the officer in question £500 a year by appropriation of that House, there was nothing to prevent him resigning his appointment in the Province and declining to do anything for it. They could not afford to pay £500 for a Waste Lands Commissioner in the Province of Wellington, and he did not think there was any necessity for making the appointment. The whole of the work might be easily done by the chief surveyor. The person appointed to the office had no particular knowledge or experience, as he had simply been a road inspector in the Province. He would strongly object to that officer receiving a large salary under the cloak that he was doing provincial service.

Mr. VOGEL said the last part of the honorable member's speech was a sufficient answer to the first part. They had been told that the salary should be voted by the Assembly, and then they were told that the office was altogether unnecessary. He thanked the honorable member for exposing the fallacy of the Bill.

Mr. LUDLAM explained that his object was to render the officer independent of provincial influence. As that officer had no special knowledge of the duties, it would be wiser to intrust them to the chief surveyor, as was done in some Provinces, where there were more land sales.

Mr. BRANDON said the gentleman who held the office had shown himself to be experienced, and had discharged his duties efficiently.

Mr. TAYLOR said it would be a great mistake to reduce the salary. The officer was highly efficient and quite competent to perform the duties of his office, and the salary should be voted by the House. Although the land sales were now trifling, the work of the Commissioner was not the less onerous on that account. They had had in this Province difficulties of survey to contend with which no other Province had. They had received a legacy of difficulties from the New Zealand Company which was not cleared off nor likely to be for some time to come. There were Crown grants not issued for land which had been purchased from the New Zealand Company nearly thirty years ago, which showed the necessity for having an efficient officer in the department, as great assiduity and care were required in its control. He trusted the Committee would not consent to the reduction.

Mr. BUNNY said the officer whose salary they were now discussing was most efficient, and had discharged his duties most satisfactorily in every respect. If the salary were voted, the Provincial Council would have no control over that officer in any way, and he could snap his fingers at the Provincial Government. It would be a fair and proper course to adopt to reduce the item, and leave the Provincial Council to vote the officer a salary for provincial duties.

Mr. VOGEL said the House would not discuss the merits of the officer. The most rational course to adopt in this matter would be that adopted with regard to Otago, to leave a blank opposite the office of Commissioner of Crown Lands. Let the officer be paid as paymaster of roads, and let him act as Waste Lands Commissioner without a salary.

Mr. LUDLAM said the Provincial Council would not provide that officer's salary as Waste Lands Commissioner. They would merely vote the salary for paymaster of roads.

Mr. RICHMOND thought it was very silly to charge the difficulty upon the Act passed last session. The two offices were inconsistent with each other—the same officer was under two masters. The real reason why the House had passed the Act of last session was that the Commissioners of Crown Lands administered a definite law made by the Legislature—that they had to do work for which the Colonial Government was responsible. The preparation of Crown grants was carried out through their agency, and during the recess the Government had shown practically, by their proceedings in the Wangapeka case, that it might be convenient and necessary to be able to give directions to the Commissioners of Crown Lands.

Sir D. MONRO said the question appeared to be what the Provincial Council of Wellington ought to pay the paymaster of roads. They were called upon to consider the question of voting the salary of the paymaster of roads, who was an officer of the Provincial Government. That, surely, was not the business of the House of Representatives.

Mr. VOGEL said there was an item below, of Westland (also chief surveyor without additional salary), £500; and another, Otago (paid as chief surveyor), blank; in the one case the holder of the office of chief surveyor without additional salary being paid as Waste Lands Commissioner, and in the other the holder of the office of Commissioner without salary, being paid as chief surveyor. However, the Government felt very little interest in the matter, and were unable to give information on the subject.

Mr. LUDLAM did not see what they had to do with the paymaster of roads for the Province of Wellington. They were appropriating colonial revenue, and, in doing that, were bound to vote a certain sum for the Commissioner of Crown Lands; but in so doing they were not called upon to vote his salary as paymaster of roads for the Province of Wellington. That was entirely a question for the Provincial Government and the Provincial Council.

Mr. TAYLOR said they could not expect to get a competent person to fill the office of Commissioner of Crown Lands under £500 a year; but, having got him, they might, as in this case, expect him to perform additional duties.

Question put, "That the item be reduced by £200," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	17
Majority for	...	...	...	...	1

AYES.

Mr. Baigent,	Sir D. Monro,
Mr. Barff,	Mr. Munro,
Mr. Brandon,	Mr. Ormond,
Mr. Bunny,	Mr. Rolleston,
Mr. Eyes,	Mr. Tancred,
Colonel Haultain,	Mr. Vogel.
Mr. Jollie,	
Mr. Kelly,	<i>Tellers.</i>
Captain Kenny,	Mr. Ludlam,
Mr. Kynnersley,	Mr. Swan.

NOES.

Mr. Bradshaw,	Mr. Macfarlane,
Mr. Brown,	Mr. McGillivray,
Mr. Carrington,	Mr. McLean,
Mr. Clark,	Mr. Peacock,
Mr. Creighton,	Mr. Richmond,
Mr. Dignan,	Mr. Williamson.
Mr. Hall,	<i>Tellers.</i>
Mr. H. S. Harrison,	Mr. O'Neill,
Mr. Macandrew,	Mr. Taylor.

The motion was consequently agreed to.

Sir D. MONRO said that, as he understood it, the effect of the amendment which had been just carried was this: that the House was voting a salary for the Commissioner of Crown Lands for the Province of Wellington, but the words "also paymaster of roads without additional salary," seemed to him to be quite unnecessary. He wished to ask if it was not competent for the Committee to strike out those words.

The CHAIRMAN said that His Excellency the Governor having placed the words on the estimates it was not competent for him (Mr. Carleton) to strike them out.

Mr. VOGEL said that it would be competent for the Provincial Council to vote the salary for the paymaster of roads, if they thought fit.

Mr. LUDLAM believed that that officer, as paymaster of roads, received £400 a year from the Provincial Government, and he also received £100 a year as deputy commissioner.

Mr. BUNNY said the honorable member was under a mistake. The officer in question received £300 a year as paymaster of roads and £100 a year as deputy commissioner.

Mr. EYES regretted that he felt it his duty to propose a reduction in the item, Marlborough, £320, because the holder of that office was a most efficient officer and a personal friend of his own, but the duties which he had to perform were very small indeed, and he had a clerk who did nearly the whole of the duties of the department. That gentleman also held other appointments in the Province, for which he was paid. He (Mr. Eyes) was under the impression that he received £220, but the Superintendent of the Province informed him that it was only £160. However, assuming that he only received £160, that would be £480, while the combined duties which he had to perform were a mere nothing. There was one point in connection with that officer's appoint-

ment to which he wished to call the attention of the Government. The Act under which they were voting the salary had in his case been over-ridden. He was now holding an appointment quite contrary to the spirit, if not the letter, of the law. He was at present a member of the Executive Government of the Province, and actually in the position to decide as to what sum of money should be placed on the estimates for his own salary, which was a most anomalous position for him to be placed in. It was within the power of the Government, and it was their duty, to inform that gentleman that he was holding an office which it was contrary to the spirit of the law that he should hold. He would have preferred to have seen the appointments of Commissioners of Crown Lands kept entirely separate, or, at all events, if Commissioners of Crown Lands were allowed to hold more offices than one, they should be entirely under the control of the General Government, and not have two masters. The result of the present system was that the Government appointed a Commissioner of Crown Lands, and this House voted his salary, and the Provincial Councils appointed clerks to assist him in his duties, and gave him appointments under their Government. The consequence was that he attended to the business of the Province, and he might entirely neglect and throw upon his clerks the whole duties of his office as Commissioner of Crown Lands. He proposed to reduce the vote by a sum of £180, which would make the total salary of that officer £350. That was within £50 of what the late Superintendent of the Province received as salary. The gentleman holding the office of collector of customs, postmaster, and telegraphist, at Picton, was a much older servant of the Government than the Commissioner of Crown Lands, and worked from nine o'clock until five. He only received £250 a year, whereas the latter officer was entirely his own master and received a larger salary.

Mr. VOGEL said the information which the honorable member had given was quite new to the Government. It was, beyond all question, contrary to the spirit of the Act passed last year, that an officer of the General Government should hold the position of a member of the Provincial Executive. The object of the Act was to remove Commissioners of Crown Lands from the control of the provincial authorities. He could not agree to reduce the salary of the officer as Crown Lands Commissioner, but the Government would consider whether the officers should be allowed to act as a member of the Provincial Executive. In Otago some years ago, before the Act was passed, the Waste Lands Commissioners were forbidden to occupy positions as members of the Provincial Executive. The Legislature had, he thought, ratified the course then taken by the Act of last session, and the General Government had unquestionably a right to call upon the officer to resign one of the offices. The best course for the honorable member to adopt would be to allow the vote to pass as it appeared on the estimates, and then to write to the Colonial Secretary, or

any member of the Government, setting forth what he had stated to the House, when the matter would be inquired into, and action taken.

Mr. EYES said as he had informed the Government of the fact it was unnecessary for him to take further trouble in the matter. He considered it to be the duty of the Government to write to the officer in question and ask him if he held the appointment, and if he did, to call upon him to resign one of the offices.

Mr. VOGEL said that course might be adopted, but he thought it would be more convenient for the honorable member to write a letter to the Government on the subject, as the report of the debate in *Hansard* would be no record for the Government office and a letter would. The honorable member would see that if the officer were required to relinquish the other appointment, it would be necessary to vote the amount which was on the estimates. Therefore, he presumed the honorable member would withdraw his motion.

Mr. EYES wished the Colonial Treasurer to understand that the officer was being paid as Provincial Secretary, which he imagined to be a non-political office, and, therefore, if he resigned his seat in the Executive he would still retain the salary as Provincial Secretary. He would sooner see the salary as Commissioner of Crown Lands left as it was. The other matter might be dealt with by the Province, although there was some difficulty about it. In *Hawke's Bay* a similar difficulty had been successfully dealt with, but he supposed that there they were cognizant of the fact that the position was the same.

Mr. McLEAN said that in Marlborough the officer was a member of the Provincial Executive and in *Hawke's Bay* he was not.

Mr. RICHMOND said that in Nelson the Commissioner of Crown Lands did the whole of the duties without a clerk, and he thought that they were better performed in that manner.

Mr. McLEAN considered that Commissioners of Crown Lands had to perform very peculiar functions, posterity being dependent on them for the Crown grants they issued. They should be paid a salary consistent with their position. An important trust was placed in their hands, and they should have sufficient remuneration for the discharge of their duties.

Captain KENNY felt bound to support the amendment of the honorable member for Wairau. In order to show the necessity for the course suggested being adopted, he might mention that the Superintendent of the Province received only £100 a year. It was found so necessary to reduce the expenditure that the Superintendent had to set the example. It appeared to him that the amount proposed being added to that received as Provincial Secretary would not place that gentleman in a worse position than other officers of the Province. The duties in the Crown lands office were by no means heavy, and he knew that Mr. White, the clerk employed, was an excellent officer and capable of doing most of the work. At the same time, he trusted that the Government would not consider it necessary to deprive the

Province of the services of the Commissioner of Crown Lands as Provincial Secretary.

Sir D. MONRO desired to reply to the charge made by the honorable member for Wairau of the Commissioner of Crown Lands of the Province of Marlborough having neglected his duty.

Mr. EYES.—I beg your pardon. I do not remember having made use of the words. If I did it was a *lapsus linguae*. I stated that the Commissioner of Crown Lands was a most efficient officer, and I do not see how I could have charged him with neglecting his business.

Sir D. MONRO said he had taken down the honorable member's words, and if he had not made use of them he did not understand how they could have found their way on the paper. He presumed, however, as the honorable gentleman disavowed them, that he had used them inadvertently. The honorable gentleman had been inconsistent in more than one particular in the course of his remarks. While agreeing with the honorable member for Grey and Bell as to the inadvisability of having a duplicate arrangement as to the holding of offices, he approved of the Commissioner of Crown Lands holding the office of Provincial Secretary. He did not think a salary of £320 was excessive to give a gentleman holding the position of Crown Lands Commissioner, more particularly as there could be no charge preferred against him of neglecting his business. It was very undesirable, in his opinion, that the salaries of officers should be altered perpetually and cut down. He did not think that the fact of the Superintendent having allowed his salary to be reduced to £100 should guide them in the matter. He also wished to point out that, during the forthcoming year, owing to the new arrangements, the Province of Marlborough would not be so badly off. It would be entitled to a large capitation grant and rents from Crown lands, and they should be able to pay reasonable salaries to their officers.

Mr. MACANDREW said if anything were wanting to show the supererogation of the passing of the Commissioners of Crown Lands Act last year it was the discussion they had heard that evening. The arrangement which had existed for years had worked very well, and it was a great pity that it should have been disturbed. It was a great mistake to pass that Bill. A march had been stolen upon himself and other honorable members by the Bill being introduced only three days before the prorogation, otherwise he believed it would not have been passed.

Mr. HALL took exception to the statement of the honorable member, that he and others had been stolen a march upon by the passing of the Commissioners of Crown Lands Act. It was very objectionable for honorable members to speak so disparagingly of the law instead of trying to carry it out. As to the previous arrangement working satisfactorily, as stated by the honorable member, the contrary was shown to be the case as regarded Otago, by a special report of the Commission appointed to inquire into the Otago waste lands. The honorable member must be giving the Commissioners of Crown

Lands credit for an extraordinary amount of public spirit when he stated that they were independent of Provincial Governments, because he did not see how they could be independent of the Provinces from which they received their salaries. Their salaries could be reduced and even abolished by the Provincial Councils, and as long as they could not live without money they must be dependent upon the Provincial Governments.

Captain KENNY had understood the Treasurer to say, on a former occasion, that he approved of amounts being provincially charged, as, by that means, honorable members would do all in their power to keep the votes down. The Marlborough members had undertaken a very disagreeable duty in moving in this matter. The Superintendent of the Province had taken office at a nominal salary, and although that was not a reason why the other officers should do the same, still, they must be content to be paid in accordance with the state of the provincial finances. Mr. Allen, the gentleman referred to by the honorable member for Wairau, performed the duties of tide waiter, collector of customs, postmaster, savings bank agent, &c., for which he only received £300 a year. The gentleman whose salary was now under discussion had no reason to complain if his salary were reduced.

Mr. EYES had not considered that the sum was too large; indeed, he should like it to be £350, but if he held other offices in the Province, he should not be paid so much for this one duty. If the Government would promise to call upon that gentleman to resign his other provincial appointments he would not object to this item.

Question put, "That the item, Commissioner of Crown Lands, Marlborough, be reduced by £180," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	16
					—
Majority against ...	...	...	...	...	3
					—

AYES.

Mr. Brown,	Mr. Mervyn,
Mr. H. S. Harrison,	Mr. Munro,
Mr. Kelly,	Mr. Studholme,
Captain Kenny,	Mr. Swan.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Barff,
Mr. McIndoe,	Mr. Eyes.

NOES.

Mr. Brandon,	Mr. Parker,
Mr. Carrington,	Mr. Rolleston,
Mr. Collins,	Mr. Taylor,
Mr. Dignan,	Mr. Vogel,
Mr. Hall,	Mr. Williamson.
Mr. Jollie,	
Mr. McGillivray,	<i>Tellers.</i>
Mr. McLean,	Mr. Curtis,
Sir D. Monro,	Mr. Kynnersley.

The motion was consequently negatived.

Captain KENNY moved that the same item be reduced by the sum of £100.

Mr. VOGEL said the Government could not

reduce the item without further information. The Government would inquire whether the duties of the one office were compatible with those of the other office. He did not think they should interfere with the decision of the Provincial Council if they considered that the officer was worthy of the additional salary.

The amendment was negatived, and the item agreed to.

Mr. BARFF said, with regard to the item, Westland (also chief surveyor, without additional salary), £500, he must object to the two offices of chief surveyor and chairman of waste lands board being combined. The chief surveyor was appointed by the General Government and reported to himself as chairman of the waste lands board, and *vice versa*. It was not proper that such a state of things should exist. He had been informed by the honorable member for Clutha that the Commissioner of Crown Lands in Otago did not report to himself as chief surveyor, but direct to the Secretary for Crown Lands in Wellington. When the chief surveyor received the appointment of chairman of the waste lands board, all sections of the Westland press protested against it. He would suggest that the item should be divided and voted in two sums, and if the Government should, during the recess, find that the two offices were inconsistent with each other, they could make the necessary alteration. The item might be divided into sums of £400 and £100.

The CHAIRMAN said he had no power to put such an amendment.

Mr. McLEAN said it would be more convenient to allow the estimates to remain as at present. The office of chief surveyor was quite compatible with the duties of chairman of waste lands board. The two offices combined had worked very satisfactorily in other parts of the Colony.

Mr. BARFF did not object to the amount, but it was an unsatisfactory position for Westland to be placed in.

Mr. HALL did not think that the chief surveyor reported to the Commissioner of Crown Lands, but to the waste lands board. He (Mr. Hall) had had a good deal to do with the framing of the Westland land regulations, and he thought, on the whole, the present arrangement was the best one that could be made. The chief surveyor was not a mere local officer; he was appointed by the Governor and his salary fixed and paid by the Colonial Government.

Mr. W. H. HARRISON expressed surprise at the statement made by his honorable colleague, as he was not aware of any occasion on which the chief surveyor had to report to the Chief Commissioner of the waste lands board. He thought the honorable member had fallen into an error, and was not aware of the machinery by which the waste lands board was conducted. He (Mr. Harrison) was not aware of the slightest difficulty having arisen from the two offices being combined, and the only mistake made was when the Chief Commissioner of Waste Lands was not chief surveyor.

Mr. BARFF said the honorable member ex-

pressed his ideas differently in words than in writing.

The total item was agreed to.

LIABILITIES, 1869-70.

Maintenance of Native Prisoners in Gaol at Wellington, £125 19s. 8d., agreed to.

For service of year.

CLASS VII.—MISCELLANEOUS.

General Charges, Hawke's Bay.—Compensation to J. W. Witty, £115, agreed to.

Provincial Charges, Marlborough.—Compensation to A. S. Dreyer, £150.

Mr. EYES objected to this amount being made a provincial charge. The person was entitled to more compensation than the sum recommended by the Committee, but it would be a gross injustice to make the sum a charge against the Province. He had been told that the Province should return the money, but the Province never had the money, which had been paid into the Colonial Treasury, nor had Mr. Dreyer applied to the Provincial Government to compensate him in any way. It was not the fault of the Provincial Government that he had suffered loss. He objected to the report of the Committee in this case, in which most unjustifiable mention had been made of his name. It appeared that this Mr. Dreyer had purchased a homestead, and had complied with the conditions required, as had been proved this session. When the case was before the Committee last year, no evidence on behalf of the petitioner was taken, and an adverse decision was arrived at by the Committee, who decided that he had no claim, and that if he had he had his remedy at law. But how could a man go to law with the Governor to compel him to issue a Crown grant? The matter was gone into more fully this year, and evidence was taken which the Committee considered sufficient to award this man the sum of £150 as compensation; and they further reported that they considered a Crown grant should be given to him for his land, which he had been kept out of for a long time.

Sir D. MONRO would like to ask the Colonial Treasurer if he thought that was an amount that ought to be paid to this person.

Mr. VOGEL said the amount was put upon the estimates simply on the recommendation of the Private Petitions Committee.

Sir D. MONRO said that, as the Government was proceeding on that principle, he should offer no opposition to this amount being granted as compensation, but it appeared to him that as a question had been raised as to what source it should be paid from, it clearly ought to be made a provincial charge; and he was of opinion that the ground of compensation arose out of what he could only designate as the contumaciousness of the Provincial Government, who had been advised by the Secretary for Crown Lands that they could not legally sell that land. This Mr. Dreyer was in occupation of a run. Under the land law of the Province of Marlborough he was entitled to purchase eighty acres for a homestead, on condition

of satisfying the Crown lands office that he had made certain improvements. The provincial authorities were not satisfied that the requisite improvements had been made, and referred the matter to the Secretary for Crown Lands. He was not satisfied with the proofs that were offered, and advised the Commissioner of Crown Lands not to sell the land. Notwithstanding that, the authorities of the Province of Marlborough sold this gentleman eighty acres of land at £1 an acre. The Secretary for Crown Lands having been satisfied that the transaction was illegal, and consequently void, the Crown grant was not issued. The Province of Marlborough had received the money, and it appeared to him that if this gentleman had suffered injury by the action of any authority, it was by the action of the provincial authorities that he had suffered, and if he were entitled to compensation it should come out of provincial funds.

Mr. EYES said if the honorable gentleman's assumption were correct there would be something in his argument, but as to the legality of the sale, it was not necessary that the Secretary for Crown Lands should be consulted. The sale having taken place, a protest was lodged by the agents of Messrs. Robinson and Rudwick.

Sir D. MONRO.—Before the sale took place.

Mr. EYES.—The protest was made on the same day as the sale.

Sir D. MONRO.—But before the sale took place.

Mr. EYES.—No communication took place with the Secretary for Crown Lands and the Provincial Government or the Provincial Council; therefore, the assumption of the honorable gentleman was wrong. Even supposing he was right, he should like to know what business the Secretary for Crown Lands had to advise any Provincial Government as to the legality or non-legality of its transactions. The Provincial Government were perfectly satisfied that the regulations had been complied with and that the sale was a *bona fide* one, and so were the Committee who investigated the case, as they had recommended that compensation should be granted. His argument was, that compensation should not come from the Province, which had done nothing wrong, but should be charged to the General Government, in consequence of delay having taken place through the bad advice given by the Secretary for Crown Lands, who was a General Government officer. He would like to call the attention of the Government to the fact that the Committee recommended that the Crown grant should be issued. He knew that one or two people in the Province, who were interested in the property, were very desirous indeed that that recommendation should be carried into effect. Mr. Dreyer having ceased to be the possessor of the property, the injustice was borne by the persons who were now the legal owners.

Mr. McLEAN said the honorable member for Wairau admitted that the claim for compensation was a fair one, and his only objection was that it should not be made a provincial charge. He had

failed to show, however, that the Provincial Government had not been in error, and had thrown the whole responsibility upon the Secretary for Crown Lands. He (Mr. McLean) differed from the view which the honorable member had taken with regard to the duties of the Secretary for Crown Lands. It was very desirable, and, in fact, necessary, that the Crown Lands Commissioners in the different Provinces should correspond and communicate with the Secretary for Crown lands on all questions that were at issue similar to the one under discussion. That appeared to him to be one of the principal functions of the office. The Province having received the money, it was only fair that they should refund it to the person who was entitled to it, and who could not get a title to the land.

Mr. EYES would like to be informed by the Treasurer whether the vote would be made a provincial or a general charge.

Mr. VOGEL said it would certainly not be made a general charge. The whole question had been debated by the Public Petitions Committee, and, after hearing the evidence of the honorable member for Wairau himself, it was decided that compensation was due, and that it should be a charge upon the Province.

Item agreed to.

CLASS VIII.

General Charges, £120, agreed to.

Provincial Charges, £204 15s., agreed to.

UNAUTHORIZED EXPENDITURE.

Year 1868-69, £74,634 13s. 3d.

Mr. LUDLAM asked for some explanation in reference to the item, Amount Awarded for Survey of Native Land, Wellington, £1,482.

Mr. VOGEL said that the matter had been discussed at length last year. The Government had brought down the amount as a general charge, and it had been struck out, the Chairman having stated that it could not be altered. It was now put down under the head of unauthorized expenditure, and charged to the Province.

Item agreed to.

Year 1869-70, £80,671 10s.

Mr. LUDLAM asked for an explanation of the item, Defalcations of A. Sharpe, Customs Officer, Hokianga, £291 4s. 6d.

Mr. VOGEL said that Sharpe had been a temporary officer, for whom no bond had been taken, and he had committed defalcations to the extent specified.

Mr. BARFF asked for information respecting the item, Expense Incurred in the Wangapeka Inquiry, £56 4s., another item of £393 11s. 8d. appearing elsewhere for the same purpose.

Mr. McLEAN said that the honorable member would find all the information he required in the papers relative to the inquiry, which had been laid upon the table of the House.

Mr. HALL asked for an explanation of the item, Proportion of Working Expenses of the "Luna," £421 12s. 7d.

Mr. McLEAN said that half the amount would be charged against the loan and half against the revenue.

Mr. HALL thought that the sum, £5,575 1s. 11d. Excess of Expenditure in the Telegraph Department, was enormous, and he would like to have an explanation of the item. He would take the opportunity of asking the Defence Minister whether there was any truth in the accounts which had appeared in the newspapers to the effect that the Natives had interfered with the line of telegraph from Tauranga to Taupo, and had cut down a portion of the line.

Mr. McLEAN said that there was a certain amount of truth in the statement, but it had been exaggerated. It appeared that the contractors had taken some timber out of the bush between Taupo and the Bay of Plenty, to which certain Natives objected. It arose altogether from local difficulties between the Natives—not the Arawas—and the contractors. Telegrams had been received that evening to the effect that the difficulty had been greatly exaggerated. Those who had obstructed the line were a few troublesome characters who possessed no influence among the Natives. An influential chief of the Arawas had sent in a telegram yesterday to say that he would undertake to carry the line through.

Mr. HALL said, in respect to the line from Tauranga to Auckland, a large price had been secured to the contractor for the supply of poles, and it was one of the conditions of his contract that the work should be completed by the 11th May, but it was now September and the contract had not been finished. The contractor was under a penalty, and he would like to know whether it was intended to enforce the penalty.

Mr. VOGEL said that it was considered that the contract was taken at a reasonable rate, and the tender which was accepted was the lowest of several. The contract had been very much delayed, partly through causes over which the contractor had no control. The Government had not relinquished its right to impose the penalties, but it was a matter to be considered after the contract had been completed.

Colonel HAULTAIN said that a great many people in Auckland thought that the contract was enormously high. The sum was £2 10s. per pole, which was much more than was ordinarily paid.

Mr. VOGEL said that the excess of expenditure to which the honorable member had referred was distributed over items for Repairs of Line, Inspectors' Travelling Expenses, Erection of Offices and Stations, &c.

Mr. HALL still believed that there was something unexplained.

Mr. VOGEL said that the telegraph system had been extended during the year, but it had been done with the utmost economy. A great many new offices had been opened. The honorable member would find exhaustive particulars in the report of the telegraph department, which had been laid on the table. As soon as the telegraph department was informed that the line from Tauranga to Taupo could be proceeded with, tenders were called for for its construction. It would be a great event when Auckland was connected with the South. Even if there were some extra cost, it would be money

well expended. The lowest of several tenders had been accepted. He believed that the average price was £2 2s. 6d. per pole. He was advised that the amount was very reasonable, especially for the time within which the line was to be constructed. Whatever course the Government might take would be made known to the House, but it would be a novel proceeding for the Government to advise the House in advance as to how it would deal with a contractor with reference to penalties which that contractor might render himself liable to. The Government would deal with the matter in the way in which it was most desirable to deal with it.

Mr. HALL said it was no doubt desirable to take advantage of the favourable state of the Native mind to proceed with the work, but he did not think the steps actually taken for that purpose were judicious. It had been the practice previously to give ample notice of large contracts in various parts of the Colony, so as to enable persons from all parts of the Colony to tender for poles. By that means they had poles delivered in Wellington at a cost of 16s. or 18s. each.

Mr. VOGEL said it was quite out of order to raise such a discussion on a question of unauthorized expenditure. He would put it to the honorable member, whether it was in order now to discuss the question how the contract was entered into. If the honorable member would give notice he would be prepared to discuss the whole question with him. It was one of a thousand departmental matters under his charge, and he was not prepared to discuss it now. When he gave the information to the honorable member he had no idea he was going to raise a discussion upon it. It was thought inconvenient that there should be any delay, and hence the tenders were invited on an unusually short notice.

Mr. HALL said the notice calling for tenders was issued in Auckland only on the 2nd of April and the tenders had to be sent in on the 11th, so that only nine days were allowed for sending in tenders, which was a most injudicious proceeding.

Mr. BARFF said he had asked for some information respecting the item, Expenses of Wangapeka Inquiry, £393 11s. 8d., and the Defence Minister referred him to a document which afforded no information whatever respecting the inquiry.

Mr. VOGEL said the expenditure had been incurred, and he hoped they would not raise a discussion upon the Wangapeka inquiry at this late period of the session.

Mr. BARFF was not aware that there were any outstanding accounts with reference to that inquiry until within the last few days.

Mr. VOGEL said these were not outstanding accounts, as they had been paid.

Mr. BARFF was not aware that they had been paid, and he wanted to know why they were paid. In the return laid on the table there was a statement of expenditure, amounting to £340 6s. 4d., incurred by the General Government, and the accounts did not tally with one another.

Mr. VOGEL said there were two separate items

for the same purpose apportioned between the General and Provincial Governments. The inquiry could not be carried on without cost, and there had been no vote passed to meet that cost; the amount could only be placed on the estimates under the head of unauthorized expenditure.

Mr. BARFF said they had no information of the nature of the inquiry, or the decision arrived at. There was, no doubt, gross irregularity in connection with the Wangapeka land sales, and they were as yet unaware of the nature of the inquiry.

Mr. VOGEL said the basis on which the division was made was this: Any portion of the tents and material used which could be retained by the Province were charged to the Province; and such of the instruments as the General Governments could keep were retained by the General Government. The consequence was that the amount became divisible in this way—£56 4s. for the General Government and £393 11s. 8d. for the Provincial Government.

Mr. BARFF.—The explanation is perfectly satisfactory.

Colonel HAULTAIN moved that the item, Native Contingencies, £1,462 17s. 10d., be reduced by £800.

Mr. McLEAN said there was an understanding come to the other night that the savings on the civil list should be applied to the reduction of some of these charges, and that a fresh estimate should be brought down for that amount. As far as that arrangement went it was still adhered to. The object was simply to get the legal authority of the House for money which had been paid without authority.

Mr. RICHMOND said that, as far as the balance of the civil list fund went, the Government had complete authority already. His honorable friend did not wish to cut down these votes, but only to put them in such a form that the £7,000 should be expended from year to year.

Mr. McLEAN had no objection to the £800 being struck off.

Mr. VOGEL considered that it was a question of manipulation of accounts, and he did not approve of it. If the House wished the accounts to be manipulated it might do so. This amount had been already paid, and charged as unauthorized expenditure. If the House thought proper to refuse to pass the item and allow the Government to manipulate the accounts, they might do so, but it would be a very bad precedent.

Item as reduced agreed to.

Mr. VOGEL said he would move that the Chairman report progress, and ask leave to sit again presently. There were some small items which he wished to bring down in a supplementary estimate. It was agreed that there was an item of £2,000 to be brought down for Native contingencies, and, as it was desirable to finish the estimates, the Government would submit, also, the sum of £300 for the botanical garden, Wellington, seeing that it was the wish of the House that the money should be voted.

Mr. RICHMOND would suggest to the honorable gentleman that they would want £800 more.

Mr. VOGEL.—They would have to do without it.

Mr. HALL.—Before the question was put, he wished to ask the Colonial Treasurer if he would place before the House a summary of the total amounts which had been voted by the House, and whether it was the intention of the Government to give effect to the recommendation of the Public Accounts Committee with regard to the form of the Appropriation Act, recommending that the estimates, as passed, should form a schedule to the Appropriation Act.

Mr. VOGEL said the differences were very few, but the estimates were in the hands of the printer, and would be laid before the House. There were a few trifling alterations, but the printed papers would give the honorable member all the information he required.

CLASS VI.

Native Contingencies, £3,000, agreed to.

CLASS VII.

Wellington Botanic Garden, £300, agreed to.

Advance for Expenditure on Gold Fields that may be discovered in Native land, to be paid out of gold fields revenue, £1,200, agreed to.

The resolutions were reported to the House, and ordered to be considered next sitting day. Leave was given to sit again next sitting day.

FLAX INDUSTRY.

Mr. LUDLAM brought up the report of the Flax Commission Committee, which was ordered to be printed.

ORDER OF BUSINESS.

Mr. VOGEL moved that Government business take precedence for the remainder of the session. The Government proposed to carry on most of the Bills as far as possible, and with regard to the Bankruptcy Bill, they proposed to pass only a few sections providing for reversioning property in case of a change of trustee.

Mr. HALL objected to the proposal of the honorable member. He should give some opportunity of having private business passed.

Mr. VOGEL would agree to amend his motion by inserting the words "except on Monday."

Motion as amended agreed to.

The House adjourned at a quarter past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Saturday, 3rd September, 1870.

Curators of Intestate Estates Bill—Licensed Interpreters—Government Insurance and Annuities Bill—Supreme Court Bill—Savings Banks Bill—Merchant Ships Officers Examination Bill—Immigration and Public Works Bill—Sheep Diseases—Militia Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

CURATORS OF INTESTATE ESTATES BILL.

The Hon. Mr. SEWELL brought up the report of the managers of the Conference on the amendments in this Bill, which was read and adopted.

LICENSED INTERPRETERS.

The Hon. Mr. H. R. RUSSELL asked the Hon. the Colonial Secretary, Whether any steps have been or are about to be taken to make permanent appointment of persons to act as licensed interpreters, under the Native Lands Act, in the Province of Hawke's Bay; and if every care will be taken that such appointments shall only be conferred upon persons duly qualified, and of undoubted respectability and integrity? He might state that the persons who had been acting as licensed interpreters in the Province of Hawke's Bay for some time had had their appointments cancelled on the 31st July last, in consequence of some irregularities which had been reported to the chief judge. Since then they had all received temporary appointments, but great care should be taken in selecting persons for permanent appointments.

The Hon. Mr. GISBORNE said that the temporary appointments had been made in order to meet the requirements of the Native Lands Court which was sitting at Hawke's Bay, but the subject of permanent appointments was under the consideration of the Government, and the utmost care would be taken in the selection of proper persons. His honorable colleague the Defence Minister had informed him that, as a general rule, persons in the pay of the Government would not be eligible for such appointments, and also that it was his intention to frame regulations on the subject.

GOVERNMENT INSURANCE AND ANNUITIES BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

SUPREME COURT BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that by the present law no judge of the Supreme Court could try any criminal cases unless the offence had been committed within the limits of his district. Some persons had lately committed crimes in a district which was strictly within the Province of Auckland, but the persons had, almost of necessity, been committed to gaol within the Wellington district, where it was desirable that they should be tried. In order to give the jurisdiction, it was necessary to provide that persons might be tried in the district where they were incarcerated, without regard to the district where the offence was committed.

The Hon. Mr. WATERHOUSE begged to move as an amendment that the Bill be read a second time that day fortnight, because, although it might be very desirable, it was introduced at the very end of the session. The country had managed for

ten years to get on with the law as it stood, and the only inconvenience to which it would be subjected would be that of sending the persons referred to to Auckland for trial. Honorable members had a right to expect that ample time would be afforded them to make themselves acquainted with all measures which might be brought before them.

The Hon. Mr. SEWELL said he trusted that, on this occasion, the Council would not insist upon acting in accordance with the principle of not proceeding with the business at too late a period of the session, which he admitted they should, as a general rule, refuse to depart from. The fault, if there were any, was imputable to nobody, except that, when the original Bill was passed, the possibility of this case arising was not foreseen. In this case the offence was committed within the judicial district of Auckland, but the prisoner had been committed within the district of Wellington. The judge and the witnesses were here, and the object was to prevent expense being incurred by sending the prisoner and witnesses to Auckland. Under the circumstances, he would ask the Council to make an exception to the general rule which had been very properly laid down, and he might also say that he should never hesitate to ask the Legislature to use the power which belonged to it to provide for the exigencies of the public service even to the last moment of the session.

The Hon. Mr. JOHNSTON thought the Council would make a great mistake if, after the explanation of the Hon. the Minister of Justice, they did not accede to his motion. Indeed, he thought that if they did not do so they would be neglecting a duty. The Council had yet, from the order paper of the House of Representatives, many Bills to be introduced to it, and he hoped they would consent to read the Bill a second time.

The Hon. Mr. LEE concurred generally with what had fallen from the Hon. Mr. Waterhouse, that it was very undesirable to have important Bills introduced at a late period of the session, but he must say that he thought there could be no real objection to the passing of a Bill like that under consideration. The Bill was a very short one, and it would be almost absurd for the honorable gentleman (Mr. Waterhouse), with his intellect and ability, to say that he could not master the Bill in a few minutes, and this case, as represented by the Hon. the Minister of Justice, seemed to be one of absolute necessity.

The Bill was then read a second time, and considered in Committee.

IN COMMITTEE.

Question put, "That clause 2 stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	19
Noes	...	...	...	11
				—
Majority for	...	...	...	8
				—

AYES.

Captain Baillie,	Mr. Johnston,
Mr. Bonar,	Mr. Lee,
Dr. Buchanan,	Mr. Pillans,
Mr. Campbell,	Mr. Robinson,
Mr. Chamberlin,	Colonel Russell,
Mr. Domett,	Mr. H. R. Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Mr. Hawdon,	Colonel Whitmore.
Mr. Holmes,	

NOES.

Dr. Grace,	Mr. Paterson,
Mr. Gray,	Major Richardson,
Colonel Kenny,	Mr. Waterhouse,
Mr. Mantell,	Mr. Wigley,
Mr. McLean,	Mr. Williamson.
Mr. Nurse,	

The motion was consequently agreed to.

The Bill was reported without amendment, read a third time, and passed.

SAVINGS BANKS BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, remarked that honorable gentlemen were, no doubt, aware that savings banks had been established under the Government in connection with the post office department. There were other institutions which might be called private savings banks, with which the Government was partly connected. Under the Act of 1858, the Government appointed the trustees, and under section 22 a liability was imposed upon the Government. It was clearly inconvenient that, whilst the Government were responsible for some savings banks, there should be others for which they were partly responsible but over which they had no direct control. The question was inquired into by a Committee appointed by the House of Representatives, who reported that the savings banks established under the Act of 1858 should be closed, and that all savings banks should be in connection with the post office. The object, which was clear, was simply this: that, with a view of preventing any confusion in the minds of investors, there should not be two establishments; and there was this important fact, which was worthy of consideration, that, whilst the Government were responsible for any deficiency in connection with those banks established under the Act of 1858, it had no direct control over the operation of the trustees connected with those institutions.

The Hon. Mr. BONAR said he regretted that the Bill had been brought forward. The savings banks established under the old law were of much more practical use than those which had been established in connection with the Government post office. The former institutions served different purposes, and it was desirable that they should be continued. He had had a good deal to do with savings banks since his arrival in the Colony, and he had found that those established under the old system were supported by a number of gentlemen who took a deep interest in the welfare of that class who deposited their money in them; they had also endeavoured to

assist those who might not have been so successful as others to acquire small properties by advancing small loans on ample security, and, in fact, they afforded such inducement as could not be obtained by means of the Government institutions. Indeed, equal facilities were not afforded by the post office savings banks. He would be sorry to see the old system entirely done away with, because an injury might be done to the poorer classes of the population who wanted to acquire property. Besides, there was a class of domestics and others who would not deposit their money in post office savings banks, and the difficulty which existed was this: that they closed at five o'clock, whilst the great bulk of the poorer depositors lodged their investments between seven and nine o'clock p.m.; therefore, if the proposed change took place, those persons would be deprived of the facilities which were now afforded to them.

The Hon. Dr. BUCHANAN was not well acquainted with the subject, but he was disposed to concur with the remarks of the last speaker. It appeared that the post office clerks were so overworked that they did not seem to have the leisure to encourage the receiving of small deposits. The lodgment of those deposits ought to be encouraged as much as possible, especially by those persons who had small savings.

The Hon. Mr. JOHNSTON concurred in the principle of the Bill, which he thought should be allowed to pass. No doubt what had fallen from the Hon. Mr. Bonar might be true, to a certain extent, but it was desirable that savings banks should be of a character to give ample security to depositors, as was the case with the post office savings banks. He rather thought that when the Government came to take over some of the savings banks in existence, the question of sufficient assets might become a very grave one. He would ask the Hon. the Colonial Secretary whether he was aware that there was in Wellington a savings bank established before the first Act of 1858 was passed, and whether it was the intention of the Government to introduce any clause that would affect that savings bank?

The Hon. Mr. GISBORNE was informed that there was such a bank in Wellington, and if the honorable gentleman would suggest such words in Committee as would include that bank, he should have no objection whatever.

The Hon. Mr. PATERSON did not think there was much occasion for the Bill. The Government institutions and others had worked harmoniously, and it was desirable that in such cases those who wished to deposit money might have the choice between the post office banks and the ordinary savings banks. There was one difference between the operation of the two classes of banks which had not been noticed. For instance, in the private banks, if he might so call them, notice had to be given for at least a week before any money could be withdrawn; whereas, under the post office system, it could be immediately obtained by presenting the pass-book and making the application. The giving of notice was a great safeguard to depositors. Sometimes a person

acting on the spur of the moment drew the money at once out of the post office bank, and perhaps frittered it away; but where a person, before obtaining the money, had to give a week's notice to the savings bank, he often, during the week's deliberation, had thought better of it, and never drew the money. That was a very good principle, and a very great safeguard against the reckless expending of money, and might with benefit be introduced into the Government system.

The Hon. Mr. SEWELL said that all savings banks established under the Act of 1858 were in reality Government institutions. The Government were held responsible for all liabilities contracted by those banks, and any one who knew how they were constituted must see that that must be the effect. The Governor was the president of every savings bank, and a board of trustees was nominated by him; thus it would be seen that, to all intents and purposes, they were Government banks, and that, if there was any mismanagement, the liability would fall upon the Government. Then they had to consider property which had been mortgaged. He had no reason to doubt that hitherto those banks had been properly managed, but any one who knew anything about mortgages also knew that sometimes there were great risks connected with the property mortgaged, in consequence of its depreciation. Changes took place and losses were consequently inevitable. A reason existed in the early days why those institutions should have been established. He had had some experience in respect to these banks, and he knew that there was sometimes great danger in connection with the management of them.

The Hon. Mr. WILLIAMSON said he appreciated the principle enunciated, but he did not see any principle for winding up these savings banks. If they were summarily closed, and the mortgages were suddenly called in, loss occurred which might otherwise not have been experienced. In passing a Bill of this kind, some time should be given for winding up all previously existing savings banks. If such a provision were made he should be quite satisfied that all other savings banks should be closed, because he believed that the Government could offer the best security.

The Hon. Colonel WHITMORE, C.M.G., said he agreed with the remarks made by the honorable gentleman (Mr. Williamson), because in some places property fluctuated so much that sometimes money could not be realized without entailing considerable loss.

The Hon. Mr. GISBORNE said his honorable friend could, in Committee, propose some clause to provide for the want to which he had alluded.

The Bill was read a second time, and ordered to be considered next sitting day.

MERCHANT SHIPS OFFICERS EXAMINATION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said it would provide for the local examination of merchant ships officers. It was sometimes inconvenient that officers of ships, who were well qualified to be placed

in the command of vessels, were not able to pass an examination in consequence of no provision having been made. The Bill, in pursuance with the Imperial Act, provided that provision should be made for the purposes of making examinations in New Zealand.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS BILL.

This Bill was further considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

SHEEP DISEASES.

On the motion of the Hon. Mr. CAMPBELL, the interim report of the Diseased Sheep Committee, laid on the table of the Council on 31st August, was adopted, and the *precis* attached to the report of Friday, 2nd September, was ordered to be printed.

MILITIA BILL.

On the motion that the Speaker do leave the chair,

The Hon. Captain FRASER wished to say that he had searched in vain for the impress of military knowledge or military organization on the face of this Bill. If it were the intention of the Government to bring in a Bill which should be entirely inoperative they had been eminently successful. The North Island had been mapped out into thirty-five districts, being an average of one district for every 2,000 inhabitants—men, women and children—and, to make the thing more absurd, they were not to be called out beyond the boundaries of that small district. Before an officer could sit upon a court martial it was necessary that he should have long training, and he asked the Government how they were to constitute a court-martial if officers of the Constabulary and Volunteers only were available.

The Hon. Mr. GISBORNE could not understand how the courts-martial could otherwise be formed than by Militia and Constabulary officers, particularly as they were to try offences committed by members of the Militia and Volunteer force, and as there were no Imperial officers in the Colony.

The Bill was then considered in Committee. Progress was reported, and leave obtained to sit again next sitting day.

The Council adjourned at five o'clock p.m.

LEGISLATIVE COUNCIL.

Monday, 5th September, 1870.

Development of the Resources of the Colony—Traquair and Stuart Hundreds Bill—Awahuri Natives—Immigration and Public Works Bill—Real Property Bill—Nelson Crown Lands Leasing Bill—Messages from the House of Representatives—Bills Committed—Sales for Non-payment of Rates Bill—Agricultural Produce Lien Bill—Wairarapa Town Lands Management Bill—Diseased Cattle Bill—Summary Prosecutions Bill—Fire Inspectors Bill—Provincial Sheep Ordinances Validation Bill—Nelson College Bill—Robert Johnson Land Grant Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

DEVELOPMENT OF THE RESOURCES OF THE COLONY.

The Hon. Mr. WATERHOUSE brought up the report of the Joint Committee on Colonial Industries.

TRAQUAIR AND STUART HUNDREDS BILL.

The Hon. Mr. PATERSON, without notice, asked the Hon. the Colonial Secretary whether the Government had received any communication from the Provincial Government of Otago relative to the Traquair and Stuart Hundreds Bill, and, if so, whether it would be laid on the table.

The Hon. Mr. GISBORNE said that he had received a letter from the Superintendent of Otago on the subject. Some misconception, however, appeared to exist with regard to the last paragraph, which it was necessary should be cleared up. With the exception of the last paragraph, he should have no objection to lay the communication on the table.

AWAHURI NATIVES.

The Hon. Mr. MANTELL, in moving the motion standing in his name, said it would be well for the Government to consider the propriety and advisability of taking such steps as would cause all Bills which they proposed to introduce affecting the Natives to be prepared at such a period during the recess as would enable them to be circulated in the Maori language before the meeting of the Assembly.

Motion made, and question proposed, "That the petition of certain Natives of Awahuri, presented on the 30th August, be printed in Maori and English."—(*Hon. Mr. Mantell.*)

The Hon. Mr. SEWELL said that if his honorable friend desired that any such action as he had indicated should be taken, it would be better if he would place his views on the records of the House.

The Hon. Mr. MANTELL said he would accept the suggestion of the Hon. the Minister of Justice, and take steps calculated to carry out the object in view.

IMMIGRATION AND PUBLIC WORKS BILL.

The Hon. Mr. GISBORNE moved the third reading of this Bill.

The Hon. Colonel KENNY said the battle had been fought, they were at the last crisis, and, without doubt, the victory would rest with the Government. At the same time, there would devolve upon the Government an immense amount of responsibility. Although, as he understood, there were seceders from the ranks of the minority of eight against the second reading, which he regretted, nevertheless, he would vote against the third reading of the Bill. Nothing that he had heard in the course of that long debate had had the effect of altering his views, or rendering him less doubtful as to the results that would follow the proposed policy. He only hoped they might not see long lines of sheds occupied by unemployed immigrants, to be found in rations, and otherwise to be provided for by the Government; or he hoped they might not see railways and other public works commenced, but checked for want of efficient labour, while expensive contracts were running on. He hoped they might not see, as the result of these and other causes, the non-productiveness of those undertakings; he hoped they might not see such a deficiency in the finances as might compel the Colony to pay the interest upon loans from capital; he hoped all this, but he confessed that he hoped against hope. Therefore, he would take the only consistent course that was open to him, and vote against the third reading of the Bill.

The Hon. Colonel RUSSELL said that when he rose to oppose the second reading of the Bill, he did so in the hope that, as the discussion proceeded, honorable members might be influenced in some degree by the arguments which would be brought forward, and would come over to what he had felt from the first would be a minority. He might say that the support which he had received was greater than he had expected. He had thought however, that, by showing a front, honorable members, considering the matter in a dispassionate manner, might be convinced that they were embarking in an undertaking which was altogether too gigantic. He had endeavoured to show that the depression of the Colony which had been referred to was passing away, and that, although the recovery of the country was slow, it was in some degree progressive. He must acknowledge that he had been disappointed at the result of the discussion which had taken place. He found that honorable members who agreed with him in the main had recorded their votes in an opposite manner to that in which they had spoken. Looking at the debate, and at the many amendments which had been proposed, he had hoped that such a diversity of opinion would have existed amongst honorable members, that if an amendment were moved on the third reading, the minority of eight might have been increased to a majority, so that the Bill would be thrown out. So far, however, from having obtained any converts, he found that in the last division which had taken place the minority of eight had fallen to six. He had heard it remarked that some honorable members were absent, but he thought that if they were so lukewarm as not to be present at the last grand discussion on so important a subject, it was

rain to look for any support from them. Under all the circumstances, he could only arrive at the conclusion that the country was resolved to have the Bill. It was quite true that in the previous debate he had urged that, as no outward manifestations had been made in favour of the Bill, the people did not want it, but he must now confess that although it had been under discussion for many days, no demonstrations had been made against it, and he had looked in vain for telegrams or intimations in the press of the Colony to the effect that the people of any part of the country were strongly opposed to it. It seemed to him, therefore, that the only course to be taken by those who opposed the Bill in an independent and patriotic spirit was to accept the fact that the country was resolved to have it. Although he was not convinced by any arguments in favour of it, he thought that those who voted with him would now best perform their duty by accepting the inevitable, and doing their best to avert the evils which they feared. He should, therefore, offer no further opposition to the passing of the Bill.

The Hon. Mr. ROBINSON said it was his intention to vote against the third reading of the Bill. He was unable to indorse all that had been stated by the honorable and gallant gentleman, Colonel Russell. The honorable and gallant gentleman had said, in effect, that the only conclusion which could be arrived at was that the people were not opposed to the passage of the Bill. He, however, was of opinion that the people knew very little, if anything, about the shape or details of the Bill. As he had already stated, he believed that the country was quite capable of bearing the burdens which it was intended to impose upon it, but he still found the Bill, so far as the question of administration was concerned, in much the same shape as it was when first laid on the table of this House, and he would oppose it because it was still in a shape that instead of bringing prosperity would bring ruin; instead of being a blessing to the country, it would be a curse. No material alterations, as affecting the Government, had been made; it would give them a great deal of power during the elections and whilst in office. It was to be regretted that sufficient provision in respect to the employment of immigrants, by the proper disposal of the lands, had not been made upon settlement with men of capital, and on immigration depended the success of this great undertaking, and, to his mind, this great object had been overlooked: for these reasons he should vote against the third reading.

The Hon. Mr. J. P. TAYLOR said he could not agree with the remarks which had been made by the honorable and gallant gentleman (Colonel Russell), who stated, in effect, that no memorial had been presented to the Legislature against the passing of the Bill. If he might judge from information which he received when he left home a short time ago, concerning the general objects of the Bill, he would be justified in saying that very few people outside were acquainted with its bearings; and, under the circumstances, it could hardly be expected that a Bill which promised

such prosperity would be petitioned against, and, therefore, no inference could be drawn as to the opinions of the people in general. But there were so many objections on the face of the Bill, that he could not allow it to pass without recording his protest against it. He stated, on a previous occasion, that he objected to the Bill because he considered that, in connection with such an enormous scheme, there had been too little preparation. Sufficient information as to the details of the Bill, and especially regarding the railway scheme, had not been given; and so much disinclination had been manifested on the part of the Government to grant a postponement to enable honorable members to obtain information, that he could not help thinking the opposition shown by some honorable members was quite justifiable. He entertained one strong objection, and it was one which he had heard repeated outside the Council, namely, that the provincial and colonial authorities were so much mixed up that there would be a great antagonism in the carrying out of this measure. He also believed that if the Bill were passed, a great part of the next session would be occupied in a scramble for plunder. The abolition of Provinces would, indeed, inevitably be the result; yet he could not, even to bring about so desirable a consummation, for the reasons which he had stated, record his vote in favour of the passing of the Bill.

The Hon. Mr. H. R. RUSSELL said he also intended to record his vote against the passing of the Bill.

The Hon. Mr. MANTELL said he wished he could conscientiously follow the course which the honorable and gallant gentleman, Colonel Russell, intended to adopt, and allow the Bill to pass its third reading with that peace and quietness which honorable members, no doubt, hoped would attend their own last stage. He, however, could not, during the progress of the Bill, withhold his vote for the reasons stated by that honorable gentleman. Like the dog in the fable, he thought they were dropping the substance to grasp at the shadow; and he now desired to ask the ruling of the Hon. the Speaker, whether it would be competent for honorable members to give notice of a protest, and deliver their reasons to the Clerk of the Council.

The Hon. the SPEAKER ruled that protests could be handed in before two o'clock on the next sitting day.

The Hon. Dr. BUCHANAN said he should vote for the third reading on the same ground that he voted for the second reading of the Bill, namely, that, during the next few months, the Government would not be able to take any action beyond ascertaining the opinions of the various Provincial Councils on the subject, and in preparing surveys, so that some definite plan might be laid before the Council during the next session. But if any Bill was brought forward in the meantime in regard to railways, he should feel it to be his duty to oppose it.

The Hon. Colonel WHITMORE, C.M.G., said he had been willing to support the second read-

ing, in the hope that some alterations which he considered necessary would be made in Committee. He regretted to say that he had not been able to do anything in that direction, and the Bill would, in his opinion, leave the Council in the same state as that in which it was brought down. He should, therefore, record his name as voting against the Bill.

The Hon. Mr. GISBORNE remarked that, on the motion that the Bill be read a third time, it had been subjected to very little criticism on the part of honorable members, and it was his intention to follow such a judicious example. He only hoped that in the future those honorable members who had opposed the Bill would have reason to regret having done so.

Question put, "That the Bill be now read a third time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	8
Majority for					13

AYES.

Captain Baillie,	Mr. McLean,
Mr. Bonar,	Mr. Paterson,
Dr. Buchanan,	Mr. Pillans,
Mr. Campbell,	Major Richmond, C.B.,
Mr. Chamberlin,	Mr. Sewell,
Mr. Domett,	Mr. Seymour,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. Waterhouse,
Mr. Hawdon,	Mr. Wigley,
Mr. Holmes,	Mr. Williamson.
Mr. Johnston,	

NOES.

Colonel Kenny,	Mr. Robinson,
Mr. Mantell,	Mr. H. R. Russell,
Mr. Nurse,	Mr. J. P. Taylor,
Mr. Pharazyn,	Colonel Whitmore.

PAIR.

For,	Against,
Mr. Lee,	Mr. Menzies.

The motion was consequently agreed to, and the Bill was then read a time, and passed.

REAL PROPERTY BILL.

The Hon. Mr. GISBORNE, in moving that the amendments made by the House of Representatives in this Bill be agreed to, said they were to the effect that solicitors of the Supreme Court should be allowed to practice as land-brokers, without a fee being required, and bonds being entered into.

The Hon. Mr. WATERHOUSE said he did not see any objection to the amendments which had been made. Of course in other cases inquiries must be made as to the fitness of a man to discharge the functions of a land-broker, but they might take it that, at any rate, a solicitor, from his position as such, had qualifications which fitted him for that particular employment.

Motion agreed to.

NELSON CROWN LANDS LEASING BILL.

This Bill was considered in Committee.

Clause 3.—Agricultural land may be leased.

The Hon. Mr. SEYMOUR moved that this clause be struck out.

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	12

AYES.

Captain Baillie,	Mr. Mantell,
Mr. Bonar,	Major Richardson,
Mr. Chamberlin,	Colonel Russell,
Mr. Domett,	Mr. Sewell,
Mr. Gisborne,	Mr. Waterhouse,
Mr. Lee,	Mr. Wigley.

NOES.

Dr. Buchanan,	Mr. Robinson,
Mr. Campbell,	Mr. H. R. Russell,
Captain Fraser,	Mr. Seymour,
Mr. McLean,	Mr. Stokes,
Mr. Nurse,	Mr. J. P. Taylor,
Mr. Paterson,	Colonel Whitmore.

The Hon. the CHAIRMAN gave his casting vote with the ayes, and the clause was consequently agreed to.

Clause 6.—Lessee to be entitled to Crown grant after certain annual payments.

The Hon. Mr. CAMPBELL moved that this clause be struck out.

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	15

Majority against...	...	...	...	4
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AYES.

Captain Baillie,	Major Richardson,
Mr. Bonar,	Colonel Russell,
Mr. Chamberlin,	Mr. Sewell,
Mr. Domett,	Mr. Waterhouse,
Mr. Lee,	Mr. Wigley.
Mr. Mantell,	

NOES.

Dr. Buchanan,	Mr. Pillans,
Mr. Campbell,	Mr. Robinson,
Captain Fraser,	Mr. H. R. Russell,
Mr. Gisborne,	Mr. Seymour,
Mr. Holmes,	Mr. Stokes,
Mr. McLean,	Mr. J. P. Taylor,
Mr. Nurse,	Colonel Whitmore.
Mr. Paterson,	

The clause was consequently negatived.

The Bill was reported with amendments, and the third reading fixed for next sitting day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

That they had agreed to the amendments made by the Legislative Council in the Wellington Gas Companies Bill and the Hawke's Bay and Marlborough Rivers Bill.

That they had adopted the report of the conference on the Curators of Intestate Estates Bill.

The Wellington Waste Lands Bill, the Westland Waste Lands Bill, the Kaiapoi Native Industrial School Grant Bill, the Volunteer Bill, the Hawke's Bay Crown Lands Sale Bill, the Railway Gauge Bill, the Native Lands Bill, the Public Revenues Bill, and the Mohaka and Waikare District Bill, which were read a first time, and the second readings fixed for next sitting day.

That they had agreed to an amendment proposed by His Excellency the Governor in the Canterbury Rivers Bill, in which they requested the concurrence of the Legislative Council.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Nelson Waste Lands Bill was reported without amendment, read a third time, and passed.

The Savings Banks Bill and the Government Officers Guarantee Bill were reported with amendments, read a third time, and passed.

The Militia Bill was reported with amendments, and the third reading fixed for next sitting day.

SALES FOR NON-PAYMENT OF RATES BILL.

The Hon. Mr. SEWELL moved that the Council do not concur in the amendments made by the House of Representatives in this Bill, and that the Hon. Mr. Sewell, the Hon. Mr. Waterhouse, and the Hon. Mr. Lee, be appointed as managers to draw up reasons.

Motion agreed to.

AGRICULTURAL PRODUCE LIEN BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that its object was to extend the law relating to liens upon wool and oil to agricultural produce. Agricultural produce was defined in the Bill to be not merely agricultural produce in the ordinary sense, but also flax. It was considered that a measure of that kind would have a beneficial effect in promoting the cultivation of land. The Wool and Oils Act gave to persons engaged in those industries an opportunity of obtaining advances upon the security of the produce of the current year, before it was brought into a marketable shape, and this Bill proposed to give the same advantage to persons engaged in agricultural pursuits.

The Hon. Mr. WATERHOUSE would support the Bill, because it was only doing for the agricultural interest what was already done for the pastoral and whaling interests. Although he thought it was something novel in English legislation, yet he supported it because it carefully preserved the rights of those most interested,

namely, landlords and mortgagees. He desired to call attention to a defect in the second clause. That clause confined the interpretation of the term "agricultural produce" to certain articles therein set forth, but it entirely omitted root crops, for the growth of which this Colony was specially adapted, such as potatoes, beet-root, carrots, &c. From a report which had been laid on the table, it would be seen that a Committee had reported in favour of granting a bonus for the production of beet-root sugar. He trusted that the clause would be extended to include root crops.

The Hon. Mr. JOHNSTON agreed with the remarks of the last speaker. The schedule merely took into consideration the advance of money when the agreement was made, but it was often more convenient to have the money paid in instalments from time to time.

The Hon. Colonel RUSSELL said that in going up the Waikato some ten or twelve years ago, his attention had been drawn to the unfortunate position of the Natives with respect to this practice. It was customary at that time for traders to go up with canoes laden with articles, and tempt the Natives at the various pas with those goods. The Natives would exhibit every desire to obtain them, urging, however, that they had no money. The traders would then ask for a right over their crops, which was given. By this means the Natives never came into possession of their wheat; they sowed, but they did not reap, and consequently they gave up cultivating it. Although he objected to class legislation, he commended the subject as one well worthy of consideration by the Government.

The Hon. Colonel WHITMORE, C.M.G., thought that the Government deserved great credit for having brought in this Bill, because it would legalize what was now a common practice, and would be a great relief to the agricultural interest, especially in the southern part of the Colony. The unfortunate agriculturist was paying an enormous rate of interest for the advances which he now obtained, on the ground of bad security. Whether it was wise to have laws encouraging securities of that description in a young country was beside the question, for they knew that the system of giving advances in this way had been in existence for some time. He should like to know why *phormium tenax* was included in the Bill—it appeared to be a mistake to do so. The principle of wool liens was that a crop was pledged which matured every year; but with regard to *phormium tenax*, it was one series of labour from beginning to end. A person in giving a lien over that article could never be tied down to providing the labour which would be necessary to produce the required value, so that there would be no security whatever. It was very different with roots, or any crop which matured at stated periods. He did not like the schedule. He differed from his honorable friend Mr. Johnston that it should be worded to meet intermittent advances. The wool liens were of immense value to the pastoral interest of the country, but the part of the Act which related to oil ought to be repealed.

The Hon. Mr. LEE supported the Bill, as it was very much required. The small farmer had to get advances of goods from storekeepers, and, as no legal security could be given at present, an enormous rate of interest was charged, which told very much against the agricultural class. He believed that the agreements under the old Act were exempted from stamp duty, and he thought that agreements under this Bill should also be exempt.

The Hon. Mr. SEWELL was glad that the Bill had met with general approval. As regards the question raised by his honorable friend Mr. Waterhouse, he saw no objection to extending the Bill in the direction he suggested. As to the objection made by his honorable friend Mr. Johnston, the object of the Bill was to encourage and assist persons engaged in the actual cultivation of agricultural produce. When a man went to a merchant and asked for an advance, it would be an arrangement to be made between the parties at the time. The Council should avoid giving to the Bill an appearance of being intended to give security for past transactions. With respect to what had been said regarding *phormium tenax*, that could be more properly considered in Committee.

The Bill was then read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

WAIRARAPA TOWN LANDS MANAGEMENT BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

DISEASED CATTLE BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that it proposed to amend the provisions of the Act of 1865, relating to the form of procedure in respect to regulations made by the Superintendent under that Act. That Act provided that the assent of the Governor to the regulations should be signified, in writing, to the Superintendent, and published in the *Provincial Gazette*. That had not been complied with, and therefore those regulations were technically invalid. The present Bill proposed to do away with the necessity for that provision being complied with. The Bill would not affect any actions which might be pending at the present time.

The Hon. Mr. HOLMES said he intended to move that the second reading of the Bill should be deferred until the correspondence for the production of which he had given notice was in the hands of honorable members. Only one phase of the question had been laid before the Council, but there were others. Many persons had been wronged by a straining of the Act, and in justice to those persons, as well as to honorable members, the correspondence containing those facts, which ought to be made known, should be produced. He moved, as an amendment, that the second reading of the Bill be adjourned until Wednesday.

The Hon. Mr. LEE said he was opposed to the

course taken by the honorable gentleman (Mr. Holmes) inasmuch as at the present time the correspondence alluded to was in the hands of the honorable gentleman.

The Hon. Mr. HOLMES.—I never had them in my hands.

The Hon. Mr. LEE said he placed the correspondence in the hands of the honorable gentleman not a quarter of an hour ago. The correspondence alluded to by the honorable gentleman had been laid upon the table of another branch of the Legislature, in return to a motion made by an honorable member there, and he maintained that the correspondence did not in the slightest degree affect the Bill that was now before the Council. That correspondence alluded merely to some letters that had passed between the Superintendents of Canterbury and Otago. It referred entirely to the passing of sheep and cattle across the Waitaki, the boundary between the two Provinces. It, however, had not the slightest bearing upon this Bill, and he thought the Council would hardly, at this late period of the session, wish to delay the passage of such an important measure, and which it was really desirable they should pass, because of an objection which had no force whatever.

The Hon. Dr. BUCHANAN remarked that he should second the amendment proposed by the honorable member, Mr. Holmes, because he (Dr. Buchanan) was ignorant of the subject. As far as he was aware, the correspondence had not been laid upon the table, and hence his ignorance of the subject. He certainly thought the Council would do wrong if it passed a Bill of this kind until something more was known about it.

The Hon. Mr. ROBINSON said he regretted that he should have to oppose the second reading of the Bill, and he was also sorry to say that he differed to some extent with what had been said by his honorable friend Mr. Lee. He scarcely thought the correspondence alluded to had got into the hands of the honorable gentleman, Mr. Holmes; and in regard to the remarks made by the honorable gentleman, Mr. Lee, to the effect that the correspondence before the House did not relate, in one single instance, to the question before the House, he could only say that it ought to do so. He was acquainted with the circumstances which had been the cause of this matter having been brought before the Council, and honorable gentleman would, he thought, see that there was more in the Bill than appeared on the face of it. Indeed, there were many reasons why the progress of the Bill should be deferred until Wednesday, when the correspondence referred to would be in the hands of honorable members.

The Hon. Mr. McLEAN said that, as the Bill affected so large an amount of property, he trusted the Hon. the Minister of Justice would consent to defer its second reading.

The Hon. Mr. GISBORNE said there was no doubt that, as a principle, it would be wrong to pass, *ex post facto*, laws validating Acts under which persons might be subjected to penalties, or to remove cases pending in the Supreme Court. This Bill, however, did not propose to do any-

thing of the kind. Questions might arise in regard to the regulations, and as to the manner in which they should be enforced, but this Bill would not interfere with them. If there had been any illegality committed by the Superintendent in regard to the enforcement of the regulations, this Bill would not interfere. If there should be any illegal exercise of the powers of the Superintendent, he would be subject to proceedings to be instituted in the Supreme Court. The Bill merely proposed to remove a technical objection, that the assent of the Governor to the regulations should have been signified, in writing, to the Superintendent, and published in the provincial *Gazette*.

The Hon. Mr. SEWELL said the object of the Bill was merely to get rid of a technical difficulty. The rights of persons actually engaged in litigation must be protected. He desired to say that the Superintendent of Canterbury was anxious to bring this controversy between Otago and Canterbury to an end. He did not think that the course proposed by some honorable gentlemen was calculated to promote that result.

The Hon. Mr. MANTELL said that if no injustice was likely to arise under this Bill, except—if it could be called an injustice—to those persons who had been waiting to see the results of other trials before they brought their own actions, there was no reason to pause in passing the Bill on that account. Those persons had been waiting to see what would turn up, and if, in the meantime, an Act of the Legislature should be passed, which would prevent them from committing themselves to litigation, they would have no reason to complain.

Motion for adjournment agreed to.

SUMMARY PROSECUTIONS BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said that its object was to enable informations to be laid within a period extended beyond the time allowed by the Justices of the Peace Act.

The Bill was read a second time, and ordered to be considered next sitting day.

FIRE INSPECTORS BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that it was one of a very simple character. Under the Municipal Corporations Act, power was given to mayors to appoint fire inspectors with the powers specified in the Act, but there was no power to appoint inspectors in places which were not boroughs. This Bill proposed to give that power of appointment in those places to the Superintendents. It was obvious that there should be some leading person to direct the proceedings of those who might be engaged in extinguishing fires.

The Hon. Captain BAILLIE objected to Superintendents having the appointment of officers who had such immense powers. The justices of the peace, whose powers were far less, were only appointed by the Governor. Those officers could order houses to be pulled down, and no one could oppose them. He had seen the operation of the principle in America, where the warders,

who filled the same office, were appointed by the Governor.

The Hon. Mr. GISBORNE said that, though the fire inspectors had large powers, if they committed any undue act, an action could be brought against them, and it would be for the jury to decide whether they had exceeded their powers or not.

The Hon. Mr. WATERHOUSE desired to call attention to an important defect in this Bill. It gave power to a fire inspector to pull down any building which he might think desirable to be pulled down in order to prevent the spread of fire, but it did not provide that compensation should be given to the person whose property was so injured. It was a principle of English law that, for a public benefit, a private wrong should not be inflicted without power being given to obtain redress, but under this Bill that principle was departed from. It did not follow that because a building was in danger it would be burnt down. There was, however, a more immediate danger to the person whose building was pulled down, because the property within the building was often of greater value than the building itself. The fire inspector anticipated the arrival of fire, and commenced pulling down a building before the fire reached it, and all chance of removing the goods was at once destroyed. No compensation was devised for such a case. He should support the Bill, and would be prepared to propose an amendment in Committee.

The Hon. Mr. GISBORNE said that the powers which had been referred to were already vested in the mayor. Clause 7 would meet the objection to which his honorable friend Mr. Waterhouse had referred, because a person who insured his house would receive the insurance.

The Bill was read a second time, and ordered to be committed next sitting day.

PROVINCIAL SHEEP ORDINANCES VALIDATION BILL.

The Hon. Mr. CAMPBELL, in moving the second reading of this Bill, said its object was to validate Sheep Ordinances in Canterbury, Wellington, and Hawke's Bay. The Bill had been introduced at the suggestion of the Committee appointed to consider the subject, as it was found that it would be utterly impossible, at the present stage of the session, to bring in a Bill with any hope of carrying it through during the session, and that, if the Ordinances were not validated, great inconvenience would be experienced by the country. Probably there were honorable gentlemen who objected to the validation of any Provincial Ordinance, but he would ask the Council to pass this Bill, as the question involved was an important one, and a general measure would probably be considered next session.

The Hon. Mr. McLEAN wished the honorable gentleman to say whether he merely required the Bill to be passed until a general Act could be brought in. If not, understanding the immense consequences that might ensue, he should feel almost obliged to oppose the Bill; but if the honorable gentleman merely required to validate

it for a year, he should be perfectly prepared to support the Bill.

The Hon. Mr. CAMPBELL said provision was made that the Bill should only continue in force until next session.

The Hon. Mr. WATERHOUSE said it was desirable to ascertain from the Government if it was intended to introduce a general validation Ordinance. It was a matter of the utmost importance that the particular validation Ordinance which had been introduced by his honorable friend Mr. Campbell should be given effect to, otherwise they would find that scab would run riot throughout the length and breadth of the country. He was himself, unfortunately, the owner of sheep infected with scab, and he would, therefore, be subject to the penalties inflicted, but he would prefer that that should be the case rather than the disease should be allowed to spread. If it was intended to introduce a general Ordinance, of course the necessity for passing the Bill under consideration was not so great. In the meantime, he might say that it was his intention to support the Bill.

The Hon. Mr. SEWELL said it had been arranged that a Bill should be introduced, validating provincial Ordinances, but regarding what had been done, he could not speak without consulting his colleagues.

The Bill was read a second time, and considered in Committee. Progress was reported, and leave obtained to sit again next sitting day.

NELSON COLLEGE BILL.

The Hon. Captain BAILLIE, in moving the second reading of this Bill, said that, under the New Zealand Company's Act, certain lands and money were set aside for education and other purposes. Then, under the Act of 1858, the Nelson College was constituted, the governors being elected by persons whose names appeared on the electoral roll. The Nelson Trust Act had now lapsed, and there were nine governors in existence—they were in fact governors, trustees, electors, and everything else; but it was proposed by this Bill that of the nine governors six should represent the Province of Nelson in the governing body, and that three should represent the Province of Marlborough. He agreed with the Superintendent of Nelson, that this Bill should not have effect beyond the end of next session. If he happened to absent himself from the half-yearly meeting of the governors, his name would be struck off the roll of governors, and a fresh election would then take place. He believed that his honorable friend Mr. Seymour had been one of the governors, and that, one morning, the honorable gentleman received notice of a meeting of the governors to be held the same evening at Nelson, but of course he could not attend.

The Hon. Mr. HOLMES said he seconded the motion for the second reading of the Bill with pleasure, but he intended, when the Bill was being considered in Committee, to move certain alterations, with a view of assimilating the Bill to the plan that was to be adopted in nominating the Council of the University of New Zealand,

namely, that instead of the appointments being made by the Provincial Councils they should vest in the governors. He believed it would have the effect of raising considerably the standard of the governors; that, in fact, a different class of persons would be nominated. With that exception, he approved of the Bill, and would assist to pass it through the Council.

The Hon. Mr. SEWELL said he should like to hear some reasons for altering the present mode of elections. He did not like, at that stage, to oppose the second reading of the Bill, yet he thought some additional information should be given.

The Hon. Major RICHMOND, C.B., remarked that the honorable gentleman who had moved the motion had stated that the governors were elected by the electors of the trust fund. That fund having ceased, there was really no electors at the present time to elect governors. The present governors, if a Bill of this description were not passed, would be able to elect themselves. There was, in fact, no other authority, and it was to prevent such an occurrence that the Bill had been introduced. The idea was that some authority, no matter what, but that some authority other than the governors themselves should elect them.

The Hon. Mr. SEWELL said he gathered from remarks which had been made that the governors had the power to supply vacancies in their own body. That was a common principle, but he did not say that it was free from criticism. But before the Legislature was called upon to interpose, with a view of effecting an alteration, some case, showing why the alteration ought to be made, should be stated.

The Hon. Mr. SEYMOUR said he had intended to ask the honorable gentleman, Captain Baillie, if the Bill passed its second reading, not to proceed to consider it in Committee that evening, for he would himself like to make more inquiries concerning it. He did not agree that the appointment of governors should be made a political one, by handing it over to the Provincial Councils of the two Provinces; that might result in defects which would not be desirable in connection with the constitution of the body. Neither could he agree altogether that it should be done by the Governor in Council. Upon the first blush he would prefer the original mode, for, as far as he could understand, it had worked well. He would also like to consult the Superintendent of the Province of Nelson, who assisted to pass it through the other branch of the Legislature. If the matter was postponed until the next sitting day, he would have no objection to the Bill passing its second reading.

The Hon. Captain BAILLIE thought that the Hon. the Minister of Justice did not understand the exact position in which the governors of the college were placed. They were elected from an electoral roll almost as large as that of Nelson and Marlborough, and the only objection to that course being continued was the expense. The trust fund and the college were under separate Acts, but they were elected by

the same body. The governors were placed in a certain position, and no one was able to remove them from that position. He was quite willing to postpone the committal of the Bill until next sitting day. He had no objection to the amendment of his honorable friend Mr. Holmes. The Superintendent of Nelson agreed with him, that the appointment of those persons should vest in the Governor and not in the Provincial Council.

The Bill was read a second time, and ordered to be committed next sitting day.

ROBERT JOHNSON LAND GRANT BILL.

The Hon. Colonel WHITMORE, C.M.G., in moving the second reading of this Bill, said that the grant was asked for by an unfortunate officer who came to the Colony under the idea that he would get the grant of land which at that time was allowed to retired officers. The only bar to his obtaining the grant at the time was that his papers—properly made out according to the regulations—were sent to England by mistake, and by the time they reached him he was shut out by the action of the Provincial Legislature forbidding those grants for the future. He had it from the Commissioner of Crown Lands for the Province at the time, that Mr. Johnson would have received the grant but for the fact that the requisite papers which had gone to England were not forthcoming. Mr. Johnson joined one of the Waikato regiments, and did good service to the country. A grant of the same kind was given, under similar circumstances, to another officer, whose case was not quite so *bona fide*; he alluded to Major Turner, who had not left the service at the time that the law was repealed. Mr. Johnson was really resident in the Province when the law was altered, and the case was so hard that he hoped honorable members would not see any ground for rejecting the Bill.

The Hon. Mr. WATERHOUSE had no doubt that a case had been made out, but the grounds upon which all such Bills were based should be very closely scrutinized. The Bill applied to a private individual, and it was necessary that they should have some positive evidence before them. Where was that positive evidence? He did not know that there was any evidence before the Council. He had been told, in the ordinary strong language, that "it was all right," of which he had no doubt, but it was no reason why the matter should not be investigated in due form. The proper course would be to refer the matter to a Select Committee, which could report on Wednesday, and he should make a motion to that effect.

The Hon. Colonel RUSSELL said that this case came before the Petitions Committee, where it was very carefully examined, and favourably reported upon, but he had no objection to the Bill being referred to a Select Committee.

The Hon. Mr. SEWELL hoped that his honorable and gallant friend Colonel Whitmore would agree to the proposal.

The Hon. Mr. MANTELL had no objection to the proposal to refer the Bill to a Select Committee if the Hon. the Mover concurred in it, but

he had no sympathy with the parsimony which was displayed in respect to paying their just debts. The gentleman in question had been deprived of his chance of getting the land through a mistake on the part of his superior officer. He could only understand the proposal for a Select Committee as indicating a desire to throw out the Bill.

The Hon. Mr. WATERHOUSE said that he had no such intention; if he had, he should not have moved that the report be brought up on Wednesday.

The Hon. Dr. BUCHANAN said that, while he sympathized with his honorable friend Mr. Mantell, he thought that they should not pass any Bill without going through a certain formality. Every purpose would be answered by allowing the Bill to stand over until Wednesday.

The Hon. Colonel WHITMORE, C.M.G., would have no objection to the proposal if the report were to be brought up next sitting day, and on the understanding that it was not made with any hostile motive. He agreed with honorable members, that any attempts to alienate the waste lands of the Crown should be carefully looked into.

The Hon. Mr. WATERHOUSE had no objection to altering his motion to the effect that the report should be brought up to-morrow instead of on Wednesday.

The Hon. Mr. MANTELL said that, as his remarks had been called forth by the fact that Wednesday had been named, he desired to withdraw any observations which he had made in regard to the honorable member being hostile to the Bill.

The Hon. Mr. McLEAN remembered having asked the Hon. the Colonial Secretary, the other day, whether the Bill relating to Major Turner, which was then under consideration, would give birth to a number of similar claims, and the answer he received from the Minister of Justice was, that if other claims equally well founded should come up, the Government hoped they would be able to satisfy them. He trusted that this claim would prove to be well founded and would be satisfied, because the same measure of justice should be meted out to all.

The Hon. Captain BAIBLIE said that this was a special case, as Mr. Johnson had applied to the Commissioner of Crown Lands, who had kept no record of the application, but the whole reason for his not having received the land was, that the necessary papers had been sent by mistake to the Horse Guards.

The Hon. Colonel KENNY thought that his honorable friend Mr. Waterhouse had some ground for his proposal, as he could not be supposed to be acquainted with all the facts of the case; besides, the question had stood over for eight years. Although his sympathies must be with a brother officer, he did not like to hear an honorable member accused of a desire to oppose a Bill when he only wished for full information on the subject.

The Hon. Mr. SEYMOUR thought that they were establishing an inconvenient precedent, to

send a Bill affecting waste lands of the Crown to a Committee other than the Waste Lands Committee. It was, of course, true that the Bill had been twice referred to the Petitions Committee of the House of Representatives.

The Hon. the SPEAKER said the Council had no cognizance of the Bill having been referred to any Committee.

The Bill was then read a second time, and, on the motion of the Hon. Mr. WATERHOUSE, was referred to a Select Committee, consisting of the Hon. Colonel Whitmore, the Hon. Colonel Russell, the Hon. Mr. Lee, the Hon. Mr. Sewell, and the Mover; to report next sitting day.

The Council adjourned at twenty minutes to twelve o'clock p.m.

HOUSE OF REPRESENTATIVES.

Monday, 5th September, 1870.

Wellington Gas Bill—Case of J. Landon and F. A. Whitaker—Gold Fields Committee—Curators of Intestate Estates Bill—Library—Pensioner Settlements—Public Petitions Committee—Supreme Court Bill—Messages from the Legislative Council—Treasury Bills Currency Extension Bill—Forms and Proceedings—Meredith and Others Pension Bill—Provincial Ordinances Validation Bill—Development of the Resources of the Colony—Immigration and Public Works Bill—Hawke's Bay and Marlborough Rivers Bill—Mining Companies Limited Liability Bill—Wairoa Military Settlers—Auckland Harbour Trusts Bill—George Green Land Claims Bill—Mohaka and Waikare District Sale Bill—Wellington Waste Lands Bill—Westland Waste Lands Bill—Kaiapoi Native Industrial School Grant Bill—Volunteer Bill—Water-Rights Bill—Wairau Valley Roads Reservation Bill—Third Readings—Native Lands Bill—Taranaki Volunteers—Canterbury Rivers Bill—Public Revenues Bill—Immigration and Public Works Loan Bill.

The SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVATE BUSINESS.—WELLINGTON GAS BILL.

The amendments of the Legislative Council in this Bill were agreed to.

CASE OF J. LUNDON AND F. A. WHITAKER.

Mr. BRADSHAW brought up the report of the Select Committee on the petition of Messrs. Whitaker and Landon, which was read, and ordered to be printed.

GOLD FIELDS COMMITTEE.

Mr. MAIN brought up the reports of the Gold Fields Committee on the petition of the directors and managers of certain mining companies at the Thames, and on the petition of certain inhabitants of the Clyde, which were read, and ordered to lie on the table.

CURATORS OF INTESTATE ESTATES BILL.

Mr. FOX brought up the report of the conference with the Legislative Council on this Bill, stating that the Legislative Council had consented to waive their amendments.

LIBRARY.

On the motion of Mr. CARLETON, it was resolved, That those members of the Library Committee who reside in or near Wellington, be authorized to manage the library, on the part of the House, during the ensuing recess of Parliament.

PENSIONER SETTLEMENTS.

Mr. O'RORKE, in moving the motion standing in his name, said he hoped the Government would acquit him of presumption in advising them to carry out a scheme of immigration such as that indicated in the motion of which he had given notice. Since he had come to the Colony he had witnessed many schemes of immigration. He had seen the forty-acre system of his honorable friend the member for Auckland City West established—a scheme which, doubtless, brought many people to the Colony, but there was nothing in that system which bound the people to the land. They might, under that system, settle in the towns, or where they liked, but the land was not necessarily occupied. He was also witness to the system of immigration which was established under the New Zealand Settlements Act of 1863, which did not, he thought, realize the expectations of those who devised it. There was a something about a number of the people brought here under that Act, that they could not be induced to remain. Some men came from Provinces more favourable for the settlement of that class of persons than the Province of Auckland, and others from the neighbouring colonies, which had, he believed, greater attractions for immigrants than this Colony had. The class of people who were enlisted were, to a certain degree, of that roaming disposition that the moment the Government pay ceased they abandoned their settlements. But in the pensioner settlements the reverse was the case: there was that degree of fixity about those settlements that they had never been abandoned. They were founded with a strategic object; and that cordon of posts which Sir George Grey established around Auckland had never been broken. They must not shut their eyes to the probability of Native troubles continuing. There was no doubt that it would be incumbent on them, for many years, to have in this Colony a number of people trained to arms. If the Government established settlements of persons trained to arms, in commanding positions throughout the Colony,—persons who would take root in the soil, and who would bring out their wives and families,—that step would tend in a great measure to break the neck of the Maori difficulty. While speaking on that subject there was another kindred topic to which he would briefly refer. He should like to see the Colony, or rather the Provinces, open their hearts a little, and relax those laws which prevented naval and military settlers from obtaining land in this Colony, as was formerly the law in almost all the British colonies with respect to those who retired from Her Majesty's service. He wished to see the laws relaxed to this extent: not that they should give the lands indiscrimi-

nately to all naval and military settlers, but that those who had served the Colony should be allowed to settle upon the land when they retired from active service. He thought that those who had fought and bled in the service of the Colony were entitled to some reward. In speaking of the settlement of the North Island, it was hardly necessary that he should direct the notice of the Government to the exodus of the people that was going on from a portion of the home country, from whence they were going to the United States at the rate of 1,000 a day. He desired the Government to endeavour to turn a portion of that stream to this Colony. There was something about the poorer classes, when they left their native home, and had gained a footing in a new colony, that, as soon as they had saved a little money, they would leave no step untried to bring out their poor relatives whom they had left behind. In this Colony that system had not yet been tried. It would prove a self-supporting and continuous scheme of immigration. The amount sent home by the emigrants to the United States to bring out their poor relatives in Ireland was counted by millions. They must not be deterred by their poverty from introducing them into the Colony. Those persons at home who for generations had borne the horrors of poverty, would be the class of persons who would best encounter the difficulties and dangers of settlement in the North Island. If it would be possible to establish in the North Island some such settlements as were established by Sir George Grey around Auckland, it would tend to the good of the Colony at large. Referring to the Native difficulty in the North Island, Sir George Grey, in his despatch to the Secretary of State for the Colonies, dated 17th March, 1848, said:—

"The measure which would, in my belief, most completely and thoroughly settle the northern portion of New Zealand, and place it beyond all chance of future disturbance, would be the sending of a corps of pensioners to the Bay of Islands, upon the same principle as the corps of pensioners which has been sent to Auckland."

He believed that what was true twenty years ago was equally true with respect to the present condition of New Zealand. He believed that the introduction of that body of pensioners was not only beneficial to the pensioners themselves, and to their families, but that it was also of incalculable benefit to the neighbourhood of Auckland. It was by their hands that the whole face of the country was changed from a waste to what it was at the present time—a district that could not be surpassed, for beauty and cultivation, in New Zealand. If the Government could introduce a class of immigrants of that kind, he was sure that the experience they had already would warrant them in believing that they were not the class of people who would desert the Colony or abandon the land when they had once settled upon it. Those who were established near Auckland before the gold fields were discovered in California, withstood the temptation of those gold fields, and that, too, at a time when the city of Auckland was left almost desolate by the desertion

of its inhabitants in quest of the gold at San Francisco. Again, when the gold diggings were discovered in Victoria, they likewise withstood the temptation to leave this Colony. There was for them an attraction in having a home of their own, and having their wives and families around them, that enabled them to withstand the temptation to abandon those homes and to leave the Colony.

Mr. WILLIAMSON seconded the motion. He was in Auckland when Sir George Grey instituted that scheme of military settlement for which Auckland was so much indebted for its protection. At that time, it was true that immediate attacks upon Auckland were not expected, but still there was a possibility of discontent and disaffection being aroused in the Native mind, which might have led to very serious consequences. The success of that scheme was owing to the fact that it was not intended that the military settlers should carry on aggressive operations against the Maoris, but were to be placed in certain positions, to act as a defensive force in the event of an attack being made on the frontiers of the settlements. At that time the population had not extended far into the country in the Waikato direction. Beyond the Waikato and on its banks there were some of the most loyal Natives residing, who were in commercial intercourse with the people of Auckland. The chief Te Wherowhero was then upon very friendly terms with the Europeans, but behind him there were tribes of Natives who were discontented, and there were, besides, corruptors of the Native mind residing amongst them, to whose advantage it would have been to have caused disturbances on the frontiers. If the military settlers of the Waikato had been located in the same way as those settlers introduced under Sir George Grey's scheme, instead of having been distributed over a large range of country, those settlements would also have proved successful; but, unfortunately, they were cast away far beyond the boundary where they could be useful, and they had dwindled away until but very few were left. The honorable member for Onehunga had taken a right step in moving in the direction in which he had, and the Government would act wisely if they tried, in their immigration scheme, to introduce similar bodies of men to those the honorable member had alluded to, who would take up positions in such places as would render them a defensive force to the frontiers of settlement. Without such settlements the flying force which had been established to scour the country in the event of disturbances taking place here and there, would not be effectual. The men would come out trained to arms, would follow their industrious occupations, and be ready at a moment's notice to take their weapons in their hands, and, under judicious direction, form a most effective force. In Auckland, when their services were required some years ago, they were promptly on the spot. According to the regulations, their officers required them to undergo weekly drill, and they were seen once a week upon the parade-ground. The honorable member had referred to the failure,

to some extent, of the forty-acre system. It was his (Mr. Williamson) intention, at that time, to have encouraged the introduction of military settlers, and also to have given grants of land to those who might have been discharged from the Imperial regiments going away from the Colony. But that did not succeed, inasmuch as the Home Government were not disposed to assist the Colony, and declined to do so when asked by the then Premier, Mr. Stafford, at his (Mr. Williamson) request. In seconding the motion he freely gave his testimony to what the honorable the mover had stated.

Motion made, and question proposed, "That, in the opinion of this House, it is desirable that any scheme of immigration that may be devised for the settlement of the North Island, should contain a provision for the introduction of such a body of settlers as was introduced in the years 1847-9 into the Colony, by Sir George Grey, for the protection of Auckland, under the name of the 'New Zealand Fencible Force.'"—(Mr. O'Rorke.)

Mr. McLEAN had very little doubt that the force to which the honorable the mover and the honorable the seconder of the resolution referred had been exceedingly valuable as a protection to Auckland. He believed its value was chiefly owing to the fact that those settlers concentrated on small instead of very large and scattered allotments of land, and were placed in positions on the immediate frontiers of Auckland, which made them a good defence for the settled districts. On two or three occasions of threatened danger they turned out under arms, and afforded considerable protection at a time when the town of Auckland was invaded by a very large force of Natives from the Thames and adjacent districts. Another fact in favour of the settlement of pensioners was, that they had to receive a certificate of good conduct before they could get their discharge to settle in the country, which was generally a guarantee of their future conduct. Possibly, such a system of military occupation could be carried out in connection with the present immigration scheme; but he believed the class of colonists that was now mostly required in New Zealand was one capable of tilling the soil. Many of the small farmers in England, Scotland, Ireland, and Germany—industrious, frugal settlers—could be obtained, who might not possess the same knowledge of the use of arms as the pensioners, but who could be easily trained to military duties, and would certainly be much more efficient as settlers, and more of a producing class, than the old soldiers. That was a class to which the attention of the Government, in any immigration scheme, would certainly be directed. He could instance cases in which settlers besides those who had come out under the auspices of the forty-acre system, had done exceedingly well in Auckland. He referred to the Nova Scotians. They had not been long settled on their land before a perceptible improvement took place. Forests had been cleared, land cultivated, and vessels built. They were the most frugal and progressive settlers in the Province of Auckland,

and altogether a self-reliant people, and, if there was a necessity for their taking arms, they would be found equally willing in that respect as the pensioners. With regard to the forty-acre system, there was no doubt that Auckland owed a great deal of its present prosperity to the fact that that system was introduced, and although there were failures in the immigration arrangements, yet it had resulted in bringing out a population of not less than 25,000 souls, most of whom had settled in various parts of the Province, and had it not been for the stationary population introduced under that system, the North would be in a much more depressed state than it now was. He could only say that the subject having been brought up, the Government would give it every consideration, although no distinct promise could be made. There were now other classes of short service men leaving the British army, at a younger age than the former pensioners, who might be well suited for immigrants. He differed from the honorable mover of the resolution as to the advantage of granting land to military settlers. He thought the land ought only to be given on condition that it was occupied. In the North Island a large extent of territory had been handed over to military settlers, who never had taken the trouble of seeing their selection, and never turned it to any account. He did not think the twentieth part of the land set aside had ever been occupied by any of those for whom it was intended. He admitted that if they were settlers who would fight for the country, take an interest in its welfare, and decide upon settling in it, it would be wise to give them a moderate grant; but to do so indiscriminately to those who did not make the Colony their home, would be unwisely throwing away the waste lands. What the country really wanted was settlers who would occupy and improve, and not persons who would dispose of the land on the best terms and leave the country. The subject of the honorable member's motion would receive the consideration of the Government in connection with the immigration scheme.

Mr. HALL suggested that, in conducting this immigration scheme, the Government might profitably direct their attention to the introduction of immigrants from a country which had not been previously named, but the people of which would be an exceedingly valuable acquisition to the population of the Colony. He alluded to the Swiss. He had resided for some time in that country, and he did not think a more useful class of immigrants could possibly be obtained than from Switzerland. They were people who, though greatly attached to their own country, were compelled by circumstances to emigrate in considerable numbers, and generally went to the United States. They were a frugal, hardy, and industrious people, and to a great extent trained to the use of arms. For outlying settlers in the North Island he did not believe the Government could obtain a more useful set of people. He hoped, if the Government thought of sending agents to the Continent of Europe, that that part of the Continent would not be overlooked.

Mr. MACANDREW desired to make a suggestion to the Government in reference to the conveyance of immigrants. There would never be effective means of colonizing the country unless by steam. He had received a letter from one of the largest shipowners at home on the subject, which, by permission of the House, he would read:—

"There can be no doubt that you are correct in your views as to steam conveyance to the colonies; nothing else would give such an impetus to emigration as this. You can hardly understand how attractive this mode of conveyance is, as compared with even well-known fast sailing ships, even to the plainest class of passengers, and as nine-tenths of all emigrants from this country, and from Germany and Norway, are now taken by steam, the Colonies will never be in a fair position to compete with the United States and Canada without having a like popular means of conveyance."

That was most valuable testimony, considering that it came from a gentleman whose whole capital was invested in sailing ships. He was perfectly convinced that immigration on an extensive scale would never take place except by means of steam.

Mr. O'RORKE, in reply, said he was content with the remarks of the Defence Minister, that the subject would receive the attention of the Government. His object was not to interfere with the introduction of such a class of immigrants as had been alluded to, but really to make the country more attractive, as it would tend greatly to induce people to settle in the country if settlements such as he had indicated were established in strategic positions on the frontier. He quite agreed with the Defence Minister, that there were young men discharged from the army without receiving pensions who would make most desirable settlers.

Motion agreed to.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the reports of the Public Petitions Committee on the petitions of William Henwood, Robert Cornwell, Michael Hartnett, and certain residents of New Plymouth, which were read, and ordered to lie on the table.

SUPREME COURT BILL.

This Bill was received by message from the Legislative Council, and read a first time.

Mr. FOX wished to ask permission of the House to pass this Bill through all its stages at once. He would explain the circumstances which rendered it necessary that the Bill should become law without delay. Certain prisoners had been committed for trial at Patea, and sent to Wellington to be tried, but as Patea happened not to be in the Wellington judicial district, the judge had no power to try them, and, in order to get over the difficulty, they would have to be sent back to Auckland and be tried there. The object of the Bill, therefore, was to enable the judge of the Wellington district, who was now in session, to try the prisoners in

Wellington. The judge had intimated his readiness to keep the grand jury together for a few hours longer if an Act were passed. The Bill had been passed by the Legislative Council, and he trusted the House would consent to its passing through all its stages at once.

Mr. CRACROFT WILSON, C.B., asked if the Bill were to meet a special case, or to be general in its application.

Mr. FOX said it was to correct an anomaly which at present existed, and would be general in its application.

The Bill was then read a second time, considered in Committee, reported without amendment, read a third time, and passed.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

The Native Lands Frauds Prevention Bill, which was read a first time, and the second reading fixed for next sitting day.

The Government Insurance and Annuities Bill, with amendments, which were ordered to be considered next sitting day.

The report of the conference on the amendments in the Curators of Intestate Estates Bill, which had been adopted.

TREASURY BILLS CURRENCY EXTENSION BILL.

Mr. McLEAN, in the absence of Mr. VOGEL, moved, For leave to introduce a Bill to be intitled "An Act to extend the currency of Treasury Bills issued under 'The Treasury Bills Act, 1869.'"

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

FORMS AND PROCEEDINGS.

On the motion of Mr. CARLETON, it was ordered, That the Memorandum concerning Standing Orders and Forms Committee (No. 2) in their final report be printed.

Mr. FOX moved, That the Standing Orders recommended by the Standing Orders and Forms Committee (No. 2.) in their final report be adopted.

Mr. HALL moved, as an amendment, That the consideration of the report be referred to a Committee of the whole House. He thought it was most desirable that the House should be afforded an opportunity of fully discussing the proposed Standing Orders, inasmuch as, to his mind, while some of them were undoubtedly improvements, there were others that seemed objectionable and required amendment. He thought it was an unusual proceeding to adopt seventeen Standing Orders in a block. They ought to be considered separately, and the most convenient mode of doing so was to refer them to a Committee of the whole House.

Mr. FOX had no objection to the honorable member's proposition.

Mr. ROLLESTON moved that the consider-

ation of the report of the Committee be deferred until next session. Apart from the probability of the proposed Standing Orders giving rise to a lengthened debate, which would be inconvenient at that period of the session, he viewed the report and the decision of the Committee with very considerable alarm. The Standing Orders would be better discussed at the commencement than at the termination of a session of Parliament, and he therefore moved that the report of the Committee be read that day six months.

Mr. CARLETON said that, at that late period of the session, he did not wish to enter into any lengthened explanation as regarded the Standing Orders of the House on private Bills, but in a few words he might state his opinion that though the Standing Orders did require amendment, it was not in the way proposed by the report. The amendments proposed were not for the better but for the worse. He made that statement deliberately, and as one who, from his office, had had more experience in working private Bill orders than any other member of the House. He took that opportunity of making an observation which he thought was entitled to some little weight. He wished to know—as he had not heard it explained—why it was that the question had been referred to a special Standing Orders Committee while there was a Standing Orders Committee already existing—a Committee which had been constituted before it was known that any such question was likely to crop up, and which, therefore, had a better chance of being fairly constituted than one avowedly constituted for a particular purpose? He was not going into the question of appointing Select Committees. Of course, they were all aware that every member placed on any Committee discharged his duty with the greatest possible impartiality, and any assertion to the contrary, even by implication, would be liable to be met with most virtuous indignation; but the facts were patent that Committees were appointed for particular purposes, and that there was the greatest possible difficulty in devising machinery by which a thoroughly impartial Committee could be appointed. It was frequently found that where it was thought an even balance had been secured, the remedy proposed was worse than the disease, and they were bound to take the reports of Select Committees with an allowance for the imperfections inseparably connected with the appointment of Committees.

Mr. STAFFORD was in favour of the amendment of the honorable member for Avon. He thought that as the last, or one of the last acts of an expiring Parliament, it was rather unseemly that they should change the practice which had hitherto governed their proceedings in this matter, and prescribe to a new Parliament what should be its rules; besides which, he had no hesitation in saying that he dissented from many of the recommendations of the Standing Orders Committee, of which he was a member. It was at his instance that the original report of the Committee had been sent back with special reference to the memorandum laid upon the table of the

House by the Speaker, and he thought that there appeared to be a want of courtesy to the Speaker in the report now submitted containing no allusion to that memorandum. He agreed with the intentions of some of the promoters of the report so far as the rate of fees to be charged on private Bills was concerned, but he was apprehensive of doing away with the safeguards which existed in respect to the taking of private property. In connection with the large schemes and proposals that were before the House, it was desirable that they should induce capital to be invested in the country; but it appeared to him that they were taking the most effectual measures to prevent investments, if they permitted the private property of individuals to be taken in the summary manner proposed in those Bills. Some honorable members who, like himself, had been led in the first instance to support those Standing Orders, were under a delusion. He had been under the impression that the Standing Orders relative to the mode of action to be pursued in the taking of private property which were now proposed, were identical with those in force in the Australian colonies, but further examination showed him that was by no means the case. In addition to the Standing Orders as regarded private Bills in the other colonies, there was this further provision which the proposed Standing Orders did not contain, to the effect that, in all cases not provided for, the rules of the Imperial Parliament were to be observed and made to supplement the Standing Orders. By that means the whole machinery of the Imperial Parliament in reference to private Bills was brought into operation. That was a provision which did not exist in the proposed Orders, and which, consequently, they could not fall back upon. He would give an instance of the carelessness which existed in respect to the taking of private property. There was, at that moment, a Bill before the House to take a large portion of property from a gentleman who had received no notice whatever of the fact. That was the Wairau Valley Roads Reservation Bill. The gentleman to whom he alluded was an instance of a person, a comparative foreigner, who came to the country and purchased a large property, and who had received no information of the intention of the Government to take the right of constructing a road through it. Without the least communication with him upon the subject, a Bill had been brought in and passed, almost without question, in the other branch of the Legislature, and was now set down for a second reading in that House. That had been done, too, without any arrangement as regarded a sixpence of compensation. The land for which a high price had been paid, larger than if the land were now sold in the market, it was proposed to run a road through, thereby taking away a very considerable quantity of land. That was a proof of the way in which the Legislature was sometimes led to deal with private property. He would be always found opposing such a crude and unfair mode of action, which in reality amounted to confiscation. The tendency of the proposed Standing Orders was in that direc-

tion, and it was all the more necessary that precaution should be observed, as there was, in this country, a large absentee proprietary, who had invested a large amount of capital in land, and who should be protected. He had much pleasure in supporting the amendment of the honorable member for Avon upon those grounds. It was also unseemly that they should dictate what were to be the Standing Orders of another Parliament, more particularly as those proposed differed from their own that had been in existence for five years; and, further, they could not tell whether the other branch of the Legislature would agree with the amendments.

Mr. O'RORKE had often heard it said that there were more ways of killing a dog than hanging it, and that saying occurred to him on hearing the remarks of the honorable member for Timaru, when he got this subject referred back to the Committee a week or ten days ago. Of course, it was palpable to every one that the consideration of the subject had been put off with a view to shelving the work of the Committee. He was in favour of the reform of the Standing Orders, and he thought it would be evident to any one who read the proposed Standing Orders that they aimed at the simplification of the rules, the reduction of fees, and protection to the public instead of protection to parliamentary agents, as at present. He could not answer the query put by the honorable member for the Bay of Islands with regard to the motives for appointing this Committee. The first he heard of it was the notice given in the House, but he thought the least the Committee had been entitled to was the attendance of the Chairman of Committees, who had stated that he knew more than any other ten members of the House upon the subject. He (Mr. Carleton) should have come forward to advise the Committee, and give them the benefit of his experience, rather than have abstained from attending their meetings. Those Standing Orders had not been brought in at the *fig-end* of the session. He had been weary attending the meetings of the Committee, with a view to the report being submitted to the House in time to have it discussed. With regard to the statement of the honorable member for Timaru, that some discourtesy had been shown to the Speaker in his memorandum not having been referred to in the report, such was not the intention of the Committee. It was unanimously agreed by the Committee that as the memorandum was merely a written statement of the opinions expressed by the Speaker before the Committee, and which opinions had been discussed *viva voce* previously, it was unnecessary to go through the form of putting in writing the arguments by which Mr. Speaker's opinions were combated. The honorable member for Timaru had stated that the proposed Standing Orders swept away the safeguards relative to the protection of private property. He (Mr. O'Rorke) asserted that there was not a single safeguard, beyond the technical mode of passing the Bills through the House, taken away. He would also refer the honorable member and the House to the Land Clauses Consoli-

dation Act of 1863, which distinctly stated that no man's property could be touched without personal notice. Notice was required to be given personally, or at the last known place of abode of the person whose property it was sought to interfere with.

Mr. HALL asked if this notice did not refer to the taking of private property after a Bill had been passed, and not to the intention to introduce a Bill for the purpose.

Mr. O'RORKE said that there was a special provision in the proposed Standing Orders that in all applications for leave to bring in Bills, thirty days' notice should be given in the *Gazette*, and in the newspapers, respecting the property which would be affected. He contended that there was no safeguard done away with by the proposed Standing Orders. They merely recommended the abolition of the private Bill office, and that notice of second and third readings shall be given in the House instead of in the private Bill office. In reference to the statement that the Standing Orders of the Australian colonies contained a provision that, in cases not otherwise provided for, the rules of the Imperial Parliament should be taken by the Speaker as his guide, that only applied to public Bills. He had made diligent search for such an Order under the head of Private Bill Orders, but had been unable to find it. It was certainly not in the Queensland Standing Orders, which were, to a great extent, the model taken by the Committee. The best time for simplifying their Standing Orders was at the conclusion of the session, and having regard to the number of private Bills heretofore solicited, he thought that in all probability not many would be brought forward next session. The Statute Law of England contained about 30,000 private Acts, and there was, of course, an elaborate scheme of Standing Orders by which those Bills had to be introduced and their progress through Parliament regulated. Between 400 and 600 Bills were introduced every session, and the machinery necessary for dealing with them was necessarily extremely elaborate. But it was different with this country; they were sometimes for a couple of years without a single private Bill being introduced. He had some little experience of the effect of the present Orders. He had been occasionally applied to by persons for information respecting the introduction of private Bills, and when he presented them with the book of Standing Orders, with the table of fees annexed, they turned from them with horror. What with the expenses, and the tediousness in getting a private Bill through Parliament, it was enough to deter any one from attempting to promote a private Bill. They did not require such an elaborate system as they had at present, and its simplification would be of great benefit to the public.

Mr. HAUGHTON thought, notwithstanding that they had only a few days further to act, it was their duty to legislate upon the subject, and render their Standing Orders much more simple. Unless they did so, those who were desirous of introducing private Bills next session would have

to incur considerable expense before Parliament assembled. If nothing were done, then the consequence would be that the private Bills likely to be introduced next session would have to be put off for another twelve months, and a corresponding delay would arise in undertaking works of improvement that would be of great advantage to the Colony.

Mr. HALL wished to point out that they were likely to get into some difficulty unless they obtained the concurrence of the Legislative Council in the alteration which they proposed to make. The existing Standing Orders on private Bills had been framed by a joint Committee of both Houses. Upon the faith of those Standing Orders being observed by the House of Representatives, the Legislative Council were content to accept private Bills which had been passed by the House, and treat them as public Bills. If, however, those Standing Orders were done away with, the Legislative Council would, probably, not be satisfied to continue this concession. That seemed to him to be a difficulty in the way of the proposed alteration. It could hardly be expected that the other branch of the Legislature would be content to act upon the Standing Orders now proposed, which they had not assisted in framing. He admitted that the existing Standing Orders on private Bills were more numerous and cumbrous than was at all desirable, and that they might be considerably improved; but he did not think the course now proposed was one that would satisfactorily attain that object. He was sorry the question could not be disposed of during the present session, but he did not think they would attain their object by going on with the present motion, and he would, therefore, feel bound to vote for the amendment.

Mr. FOX was quite aware that the Legislative Council would have to be consulted in reference to the proposed Standing Orders, but the House should arrive at some definite line of action before going to the Legislative Council. He did not think there was anything to deter the House from adopting the Standing Orders. With regard to the honorable member for the Bay of Islands, if he had attended the meetings of the Committee he would have found out why it had been appointed, and what it had done, without having to ask the question. He did not attend until the last day of the sitting, when he no doubt thought there was a chance of doing mischief, on which occasion he voted in the minority. The result of the deliberations of the Committee had been to effect a large change in respect to the Standing Orders, which had been already agreed to by the House. They had already adopted one report from the Committee, and the House was asked to adopt a second report. There had been very good reason for appointing the Committee, and some very good results had followed from its labours. Although it might be difficult, at this late period of the session, to carry through the House all that had been done by the Committee, yet, they had already carried through the House the previous report of the Committee in reference to some very important Standing Orders of the House. With respect to the position of the

Speaker in regard to the Committee, he (Mr. Fox), in the action he had taken, wished to preserve the Speaker's independence as Speaker in that House. He considered that they might wish to call the Speaker as a witness, and to receive suggestions from him, and it would not have been right to put the Speaker in an anomalous position in reference to Standing Orders which had been framed by him. It was done against his judgment, and the consequence was that the Speaker was placed in a false position. He (Mr. Fox) did not approve of a member of the Committee, being in the minority, as the Speaker was, sending up a counter-report to the House setting forth his views on the matter; it was unfair to the rest of the Committee. The memorandum containing the views of the Speaker was placed before the House, and a motion made by the honorable member for the Bay of Islands that it should be printed, whereas the rest of the Committee had not an opportunity of placing before the House the arguments by which, in the Committee, they had overruled the Speaker's views on the matter. The method pursued was unfair towards the other members of the Committee, whose views were adopted by a large majority of the Committee, and which formed the basis of the report before the House. A number of the Standing Orders had been taken away, and they had done away with the necessity for a private Bill office, and the giving of personal notice to the owners of property that might be affected by the legislation of the Assembly.

MR. CARLETON.—Then what about the examiners?

MR. FOX.—They would become unnecessary, as personal notices were no longer required. The owners of property would receive notice through the *Government Gazette*, through the newspapers, and by other means, and personal notice would not be served. With regard to the Bill referred to by the honorable member for Timaru, if there had been any disregard shown to the rights of private persons it had taken place under the old system and not under the suggested new one. As Chairman of the Committee he should deem it his duty to divide the House upon the motion.

MR. CARLETON wished to make a personal explanation. The Premier had stated that he (Mr. Carleton) had not attended regularly upon the Committee. The reason he had not attended was, that he knew he should be in a hopeless minority, which turned out to be the case. Had the question been referred to the regular Standing Orders Committee of the House, as it ought to have been, he would have been found at his post. The Premier was in error, as he generally was on questions relating to the Standing Orders, when he supposed that it was the duty of the Standing Orders Committee to volunteer opinions. The duty of the Committee was to consider all questions referred to it by the House. That question was not referred to it by the House, but had been referred to a Committee specially appointed, and one in which he knew he must be in a hopeless minority from the first. His foreboding was correct.

The SPEAKER wished to offer a remark upon an observation made by the Premier. The honorable gentleman seemed to question the right, or, at all events, the propriety, of his (the Speaker) having laid a report on the table commenting on the action of the Committee, inasmuch as he was a member of that Committee. It appeared to him (the Speaker) that, although a member of the Committee on Standing Orders, his position was different from that of any other member of it. He had given every assistance to the Committee to enable it to arrive at a just decision upon the question referred to it. Although a member of that Committee, it was impossible for him to forget that he was, at the same time, Speaker of the House, and that a responsibility rested upon him with regard to the Standing Orders and forms and proceedings, and it appeared to him that if the Committee adopted a course that would interfere with the proper conduct of the proceedings of the House, it was his duty to offer some remarks generally to the House upon the proceedings of that Committee. The Premier also observed that the Committee had no opportunity of offering their reasons. He (the Speaker) wished to know why. They had an opportunity, and the power, of drawing up any report they thought proper. The Committee did not set forth, in their report, the reasons that induced them to arrive at their decision. The Committee had not time to arrive at a deliberate and satisfactory result with regard to the Standing Orders on private Bills. The question was one of considerable difficulty, involving many important considerations with reference to the whole scheme of Standing Orders relating to private Bills. There was no time for the Committee to fully consider the matter, particularly as it had been appointed towards the end of the session. The Committee found itself composed of members upon whose time and attention there were a great many demands in other directions. The present scheme, while it went in the direction of simplifying the existing Standing Orders, contained many imperfections and omissions. If new Standing Orders were to be framed for private Bills, he apprehended it would have to be done in a much more deliberate way than it was possible for the House to do it at this advanced period of the session.

Motion agreed to, and the House went into Committee to consider the Standing Orders recommended by the Select Committee, which were reported with amendments, read a second time, and passed.

MEREDITH AND OTHERS PENSION BILL.

MR. FOX moved, For leave to bring in a Bill intituled "An Act to continue certain Pensions now payable to Eliza Meredith, Rhoda Betty Hamlin, Daniel Monro, and Honoria Broughton; and to provide for the Payment of Pensions to Henry Deery and Mary Collins."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

WALSH AND OTHERS PENSION BILL.

Mr. FOX moved, For leave to introduce a Bill to amend the Walsh and others Pension Bill.

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

PROVINCIAL ORDINANCES VALIDATION BILL.

Mr. FOX moved, For leave to bring in a Bill intituled "An Act to continue in operation certain provisions of the General Assembly validating certain Provincial Acts and Ordinances."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

DEVELOPMENT OF THE RESOURCES OF THE COLONY.

Mr. VOGEL brought up the report of the Joint Committee on Colonial Industries, which was ordered to be printed.

IMMIGRATION AND PUBLIC WORKS BILL.

The SPEAKER announced that he had received a message from the Legislative Council, transmitting this measure with amendments, which were ordered to be considered forthwith.

Mr. VOGEL moved that the amendments, with one or two exceptions, be adopted. A great many of them were of a technical character. The two principal ones related to the immigration proposal and to the establishment of a board of works. The amendments relating to the immigration proposal were to the effect that £150,000 might be expended up to the end of next year—to the 31st December, 1871—and that no contract should be entered into beyond the 30th day of June, excepting in accordance with regulations to be made by the Governor, and laid upon the table of the House. He did not approve of the alteration of the date to 30th June, as it would be obviously ridiculous to authorize expenditure beyond the time as to which the Government could enter into a contract. A clause had been added to the Bill for the purpose of authorizing certain blocks of confiscated land being handed over from time to time, subject to certain liabilities and conditions, with which conditions this House alone could deal. Another alteration provided that the proceeds of the land, after satisfying any engagements or liabilities agreed upon between the Superintendent and the Governor, should be devoted to immigration and railway purposes. In clause 86 an alteration had been made. Instead of saying that the Minister of Public Works may be assisted in the administration of the Act by a board, the Legislative Council had substituted the word "shall." He intended to propose the additional words, "from and after the end of the next session of the Assembly," and that the words "provisionally or otherwise" be struck out. The Government were willing to come down with proposals next session to constitute a board with clearly defined duties and functions, and the Government would

know exactly what its responsibility would be in the matter. He would move the adoption of the amendments, with the exceptions he had referred to.

Mr. EDWARDS hoped the consideration of the amendments would be postponed, as honorable members had not time to consider the nature of them, and they related to one of the most important measures ever brought before the House, and which would directly influence the progress or non-progress of the Colony for the future. He would ask the Government not to proceed with the consideration of the amendments that night.

Mr. BUNNY hoped the consideration of the amendments would be postponed, as some of them only tended to render the clauses less intelligible and more confused.

The SPEAKER said if honorable members required longer time to consider the amendments the proper course to adopt would be to move the adjournment of the debate.

Mr. EDWARDS moved the adjournment of the debate.

Mr. JOLLIE seconded the adjournment. He did not think that amendments made in a Bill of such undoubted importance should be agreed to without the mature consideration of the House. A delay of even a few days would be very desirable in the consideration of such an important measure.

Mr. CARLETON said it was very possible the amendments might be clear enough, but he confessed he did not quite understand them. He had, therefore, listened with the greatest possible attention to the exposition of the Colonial Treasurer, and he was bound to say he was not very much enlightened by it. It was, indeed, *obscurum per obscurius*. He wished to ask an explanation from the Colonial Treasurer in regard to one expression used by him. If he rightly understood the honorable member, there was one amendment which would require an addition to be made to it in that House, because there was no power to make that addition to it elsewhere. Possibly, the honorable gentleman would explain why there was no power to make the addition elsewhere.

Mr. VOGEL said the clause was meant to enable blocks of confiscated land to be handed over to the Provinces, subject to certain liabilities, the proceeds of which blocks were to be expended on railways and immigration. As the conditions were in the nature of an appropriation, they could not be recommended by the other branch of the Legislature.

Mr. CARLETON said the Legislative Council had the same power, in money clauses, as that House.

Mr. VOGEL said if honorable members wished to postpone the consideration of the amendments he would not oppose their wishes, but he hoped it would not lead to delay in the passing of the Bill, because there were many other important measures yet to be considered, and it would be desirable to clear them off the order paper. Unless there was a general desire on the part of honorable members to adjourn the

debate, he would prefer to see the amendments dealt with that evening. He was willing to accept the amendments, with the few exceptions he had mentioned, and he had reason to believe that the alterations he proposed would be adopted by the other branch of the Legislature, so that there would be no difficulty in the way of passing the Bill.

Mr. MAIN did not think honorable members could well object to the amendments, as they were more of a formal character than otherwise. The House had, by an overwhelming majority, evinced its desire that such a measure should be passed, and they should at once proceed to consider the amendments. He would suggest that the Clerk should read the clauses with the amendments, as it would facilitate business.

Mr. LUDLAM thought it would be unwise for the Government to force the House to go into those amendments that night. He had only just received them. Those amendments were very large in number, and some of them very important, and he hoped that the Government would give honorable members till next day to consider them.

Mr. VOGEL said he did not like to trespass on honorable members' nights, this being the last they would have, and he would consent to the consideration of the amendments being adjourned until the next sitting day.

Debate adjourned accordingly.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

Mr. MACANDREW said he could not see the necessity for the amendments proposed by the Legislative Council. Although he thought the tendency of the amendments was to defeat the object of the Bill as a measure applicable to the Province of Otago, still, at that late period of the session, he did not see any use in prolonging the discussion. He therefore moved that the House do agree with the amendments of the Legislative Council.

The amendments of the Legislative Council were agreed to.

MINING COMPANIES LIMITED LIABILITY BILL.

On the motion of Mr. FOX, this Bill was read a second time, and ordered to be committed next sitting day.

WAIROA MILITARY SETTLERS.

A resolution reported from Committee was read a second time and agreed to.

AUCKLAND HARBOUR TRUSTS BILL.

The House went into Committee for the further consideration of this Bill.

Mr. CREIGHTON moved that the Chairman do leave the chair.

The motion was agreed to.

GEORGE GREEN LAND CLAIMS BILL.

Mr. FOX, in moving that this Bill be read a second time, said honorable members would see,

by the report of the Commissioner of Crown Lands, who went fully into the merits of the case, that the object of the Bill was to carry out the award which had been settled between all parties—that was, between Mr. Green and the Government. Mr. Green had consented to the award, on condition of the Bill being passed this session, but if it were not passed this session, he should not consider himself bound to abide by the agreement.

Mr. MACANDREW would not oppose the second reading of the Bill, but in Committee he should call attention to some of its provisions. The whole of the 5,000 acres of land which it was proposed to give to Mr. Green, were to be taken out of the Province of Otago and Southland, whereas, one-fourth ought to have been selected out of that part of the Province of Canterbury which was now the County of Westland. When a similar Bill was before the House some years ago, three-fourths were to be taken out of the Province of Otago and Southland, and one-fourth out of the Province of Canterbury. He thought it only right and fair that the award should be confined to the territory in which the claim originated. It should be confined to that portion of the Province in which the land was originally bought from the Natives. He merely wished to guard himself against being considered as agreeing with the Bill in all its details.

The Bill was read a second time, and considered in Committee.

IN COMMITTEE.

Clause 2.—Green to select 5,000 acres.

Mr. MERVYN moved that in the 4th line, after the words "Crown lands," the following words be inserted, "open for sale or selection."

Question put, "That the words proposed to be inserted be so inserted," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	21

Majority against ... 4

AYES.

Mr. Baigent,	Mr. Richmond,
Mr. Barff,	Mr. Russell,
Mr. Carrington,	Mr. Stafford,
Mr. Curtis,	Mr. Taylor,
Mr. Dignan,	Mr. Vogel,
Mr. Kelly,	Mr. W. Wood.
Mr. McGillivray,	<i>Tellers.</i>
Mr. McIndoe,	Mr. Macandrew,
Mr. Moorhouse,	Mr. Mervyn.

NOES.

Mr. Borlase,	Mr. Ludlam,
Mr. Bradshaw,	Mr. McLean,
Mr. Brown,	Sir D. Monro,
Mr. Bunny,	Mr. O'Rorke,
Mr. Collins,	Mr. Studholme,
Mr. Fox,	Mr. Tancred,
Mr. Hall,	Mr. Williamson,
Mr. H. S. Harrison,	Mr. J. C. Wilson, C.B.
Mr. Jollie,	<i>Tellers.</i>
Captain Kenny,	Mr. Driver,
Mr. Kynnersley,	Mr. Main.

The amendment was consequently negatived.

HOUSE RESUMED.

The Bill was reported with amendments.

Mr. MCINDOE moved that the Bill be recommitted for the purpose of reconsidering clause 2. The object of the recommitment was simply to have an alteration made in it, as a number of honorable members had voted contrary to what they had intended through a misapprehension. If the Bill were passed in its present shape, he thought it would be inflicting a great injustice upon Ōtago to allow the claimant to take up such a large quantity of land anywhere under the Bill, while other settlers were prevented from having the same privilege. If the clause were reconsidered he thought that the Committee would come to a different decision.

Mr. MERVYN supported the motion, as he understood several honorable members had voted, under a misapprehension, with the "Noes." He would not wish to have the Bill recommitted were he not aware that if it were passed in its present shape it would be a swindle, inasmuch as between £3,000 or £4,000 would be sacrificed for nothing. This clause had been under the consideration of the Ōtago members, and he had voted for 5,000 acres of land being given to Green, of an average value of £1 an acre. This person might, under the clause as it now stood, go and pick out the very eyes of the country, and get land that might be worth from £2 to £3 an acre. If the House did not agree to recommit the Bill, he would ask the House to adjourn the third reading of the Bill until such time as Mr. Domett could be consulted about the matter, so that he might be enabled to state what his intention was in giving that award.

Mr. CARLETON said that the action taken on that Bill appeared to him to be very like child's play. By the consent of the House, in consequence of the report of the Select Committee, the matter was referred to the arbitration of a gentleman who, of all others in this Colony, was the most capable of forming a fair opinion on the case. He was quite certain that that gentleman was not prejudiced in favour of Mr. Green. He knew that from his own knowledge, because he had sat on a Committee of that House, when he had taken the evidence of the Commissioner of Crown Lands. At one time the claim of Mr. Green was very much prejudiced by an unintentional error which the Commissioner of Crown Lands had made, by asserting that a certain paper was not in existence in the Crown lands office. If that arbitration were to be treated as an absolute nullity and capriciously upset, if they did not intend to abide by that award, they ought not to have permitted it to be made. They ought to have some little regard to consistency in their dealings with others, if only for the credit of the House itself.

Mr. CRACROFT WILSON, C.B., trusted that the House would not consent to the recommitment of the Bill.

Mr. MACANDREW would support the motion for the recommitment of the Bill, as he thought the Committee were not aware what the effect of the measure would be if carried in its

present shape. He would not call it a swindle, but it would be little short of that if Mr. Green, or any other man, should be allowed to select land where a man with money in his pocket would not be allowed to select it. They were quite willing to allow Mr. Green to go and select land wherever it was open for selection, even on the gold fields, but he saw no reason why Mr. Green should be allowed to select where others, with money in their pocket, were not allowed to do so. It was a very great stretch of liberality to pass the Bill at all in its present shape. His own opinion was that the right of selection should be confined to that part of the Province where the original purchase was made from the Natives. He thought they were going beyond the award in allowing the land to be selected elsewhere.

Mr. W. WOOD had as great respect for the arbitration of the honorable gentleman referred to by the honorable member for the Bay of Islands as any other honorable member of that Assembly, but he would remind the honorable member for the Bay of Islands that an award was made in favour of Mr. Green on a former occasion, and he did not choose to abide by that. On that occasion the award was only about half the number of acres. He believed the previous award was for 2,000 acres.

Mr. CARLETON.—It was not an award; it was the vote of this House.

Mr. WOOD.—Well, it was an award of the House. It was approved then that part of the land to be selected should be in what was then a part of the Province of Canterbury. He did not believe that Mr. Domett ever intended that Mr. Green should have greater advantages in the selection of his land than that possessed by others who were ready to purchase for cash. Although the acreage was increased to 5,000, and the whole to be selected in the united Provinces of Southland and Ōtago, he still supported the Bill.

Mr. HALL thought that the remarks of the last speaker suggested to the House the course that should be adopted. It did not seem that the gentleman who made the award intended that Mr. Green should have power to make his selection of land in any part of the Province, whether open for sale or not. He should like, therefore, to have an opportunity of ascertaining what the intentions of the arbitrator were. The Bill had gone through Committee, and if the third reading were put off until to-morrow the intentions of the arbitrator might be ascertained. He therefore moved as an amendment that the Bill be read a third time next sitting day.

Mr. DRIVER said that, before the honorable member replied, he wished to observe that he quite agreed with what the honorable member had said, that the object of the arbitrator would be carried out even if they allowed the Bill to be read a third time; because, if the Secretary for Crown Lands saw that the Bill was not according to the intention of his award, he would cause it to be altered in the other House. He thought the right of selection should be strictly confined to lands which were described in the deeds in

Otago as covenanted block and agricultural reserves, which the Government had a right to take from runholders without any compensation.

Mr. McINDOE said he believed Mr. Domett had in view the placing of the claimant in this case in exactly the same position as other persons who wanted to obtain land. He founded that opinion on a short paragraph in the report, which he would read to the Committee. It was as follows :—

“Suppose it, then, to be assumed that the claimant was to have 5,000 acres, it seems to me to be only fair that the land so to be taken should be available, and not worthless, as the land he appears to have been on the point of obtaining was close to a coast town, and then considered valuable.”

It was evident, from that, that it was not intended that the claimant should have the selection of the best land in the Province, but be placed in a similar position to other people who selected land on the usual terms.

Question put, “That the Bill be re-committed, for the further consideration of clause 2,” upon which a division was called for, with the following result :—

Ayes	...	...	...	...	16
Noes	...	...	...	...	17
Majority against ...					1

AYES.

Mr. Baigent,	Mr. Rolleston,
Mr. Barff,	Mr. Taylor,
Mr. Carrington,	Mr. Vogel,
Mr. Dignan,	Mr. Williamson,
Mr. H. S. Harrison,	Mr. W. Wood.
Mr. Kelly,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. McIndoe,
Mr. O'Rorke,	Mr. Mervyn.

NOES.

Mr. Borlase,	Mr. Haughton,
Mr. Bradshaw,	Mr. Jollie,
Mr. Brown,	Mr. Kynnersley,
Mr. Bunny,	Mr. Ludlam,
Mr. Carleton,	Mr. Main,
Mr. Collins,	Mr. McGillivray.
Mr. Curtis,	<i>Tellers.</i>
Mr. Fox,	Mr. Driver,
Mr. Hall,	Mr. J. C. Wilson, C.B.

The amendment was consequently negatived, and the amendments made by the Committee were ordered to be considered next sitting day.

MOHAKA AND WAIKARE DISTRICT SALE BILL.

This Bill was considered in Committee, reported without amendment, read a third time, and passed.

WELLINGTON WASTE LANDS BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

WESTLAND WASTE LANDS BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

KAIAPOI NATIVE INDUSTRIAL SCHOOL GRANT BILL.

On the motion of Mr. McLEAN, this Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

VOLUNTEER BILL.

This Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

WATER-RIGHTS BILL.

On the motion for going into Committee on this Bill,

Mr. ROLLESTON said some honorable members had expressed their objection to this Bill being proceeded with at this period of the session, and, therefore, he would not press it.

Mr. CRACROFT WILSON, C.B., hoped the Bill would not be proceeded with, as great damage might be done through it. He had had considerable experience of the result of diverting water from mountain torrents, and he felt convinced the present Bill would lead to more litigation and destruction of property than any one could imagine. The Provincial Government would have more claims for compensation brought against them than the honorable member anticipated. He would move that the Bill be discharged.

Mr. HALL said if it were generally thought that at this period of the session it would not be wise for the House to go into this question, which was a somewhat difficult one, he would not recommend the honorable member for Avon to proceed with the Bill. He could not, however, coincide with the remarks of the honorable member for Coleridge. So far from discouraging an attempt to divert water from streams in this country, especially in that part of it where he principally resided, he thought it was an exceedingly desirable object. They should endeavour to encourage to the utmost the promotion of irrigation in New Zealand generally, and especially in its large plains. It would bring considerable tracts of land into cultivation which, owing to want of water, were now practically useless. He believed the Bill had been brought forward by his honorable friend in compliance with a resolution advisedly come to by the Provincial Council of Canterbury. If they did not proceed with the Bill, it should be understood that it was owing to the fact of its being too difficult a subject to deal with effectually at that advanced period of the session, and not from any doubt as to the desirability of promoting the object for which it was framed.

Mr. ROLLESTON had communication with several honorable members on the subject, and it was partly understood that it would not be proceeded with this session.

The amendment was agreed to, and the Bill ordered to be discharged.

WAIRAU VALLEY ROADS RESERVATION BILL.

Mr. McLEAN moved that the second reading of this Bill be postponed until Wednesday next, until he should find out who had charge of the Bill. From observations made by the honorable member for Timaru, he understood that the Bill affected the rights of private property.

The SPEAKER considered this Bill to be highly objectionable. He had made inquiry, and found that its object was to take a portion of the private property of a gentleman without giving him notice of the intention to do so. It was due to the owner of the property that he should have notice, in order that he might appear before the tribunal that was to take a part of his property from him, and be heard on the matter.

Mr. CRACROFT WILSON, C.B., would oppose the Bill, as it purported to upset what had been done in 1866, which was mainly to remove all doubts as to the absolute validity of titles to land held in fee simple, under Crown grants, in which rights-of-way were reserved for roads. As there were many Crown grants which did contain a reservation as regarded the right of making roads, he had caused those clauses to be put into the Act in order to make the Crown grants legally valid. This Bill would upset what had been done in 1866, and he would move that it be read a second time that day six months.

Mr. BUNNY would support the motion for the postponement of the order of the day, so as to give the person in charge of the Bill an opportunity of stating his reasons for introducing such a measure.

Mr. BAIGENT said it would be a pity that the country should be shut up. There must be a road to Wairau Valley, and he would support the motion for postponement.

Mr. BARFF had made inquiry about the Bill, and there were grave doubts as to whether it was not a private Bill. He believed the honorable gentleman at whose instance the Bill was originally brought forward was prepared to allow it to drop.

The amendment was agreed to, and the Bill ordered to be read a second time that day six months.

THIRD READINGS.

The Hawke's Bay Crown Lands Sale Bill and the Railway Gauge Bill were considered in Committee, reported without amendment, read a third time, and passed.

NATIVE LANDS BILL.

Mr. McLEAN, in moving the second reading of this Bill, said its object was to extend the time within which rehearings of claims under "The Native Lands Act, 1865," might be granted. It was felt that the three months now allowed was too short, and it frequently happened that the application for a rehearing was not received until after the three months had expired. The

Natives had made complaints that they had not an opportunity afforded them of having their cases reheard. This Bill was merely reverting back to the Act of 1865, which allowed six months for rehearing of claims.

Mr. CARLETON presumed he might take it for granted that this Bill did not extend beyond the description given of it by the Native Minister. He took a great deal of interest in the Native Lands Act, but the present Bill had escaped his notice, and he had not made himself master of its true purport. If it had no further object than that stated, he would not object to it.

Mr. McLEAN said the Bill had no other object than that stated.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

TARANAKI VOLUNTEERS.

ADJOURNED DEBATE.

Mr. McLEAN said he had had a communication with the mover of the motion, who had agreed to withdraw it on the understanding that the matter would be more fully inquired into. The Government would inquire into the general state of the confiscated lands and the claims of the Volunteers referred to in the motion.

Mr. KELLY said that, as the Defence Minister had promised to inquire into the matter, he would ask leave to withdraw the motion.

Leave granted, and the motion withdrawn.

CANTERBURY RIVERS BILL.

The amendment proposed by His Excellency the Governor in this Bill was agreed to.

PUBLIC REVENUES BILL.

Mr. VOGEL, in moving the second reading of this Bill, said the Bill had been referred to the Public Accounts Committee, by whom several amendments had been introduced. The object of the Bill was to remedy some of the difficulties referred to in the earlier part of the session, arising out of the provision made last year, which rendered it necessary to produce the reserve account within ten days after the commencement of the session, but which was found to be impossible. Besides that, the Bill proposed to provide that any part of the reserved account could be made out, and that, after it had been referred to the Controller, the outstanding liabilities on account of purposes for which the House had made appropriations could, to the extent of the money unexpended of each appropriation, be satisfied. It would not be necessary that the reserve account should be laid upon the table before it was operated upon. Section 9 of the Bill referred to the improvement which was promised in the financial statement, of enabling the special fund to be kept as a distinct account in the bank for the purpose of issue, and as a distinct account also for the purpose of payment by the Paymaster-General. He did not think it necessary to detain the House with any further explanations, as the Bill had been referred to the Public Accounts Committee, and the amendments which

had been suggested by that Committee had been introduced.

Mr. HALL said it was quite correct, as the honorable member had stated, that the Bill had been referred to the Public Accounts Committee, and that some amendments had been made in it by the Committee. Although those amendments had been recommended, it was not to be inferred that the Committee, or he, as one of its members, agreed to the financial policy of which this measure was a part, or that they withdrew the objections they entertained to the system introduced last session by the Colonial Treasurer. He retained entirely the opinions he had formerly expressed, the correctness of which he thought the experience of the past year had established. By allowing this Bill to pass without opposition, he must not be understood to qualify, in any way, the opinion he had formerly expressed on the modifications in our financial system introduced by the Colonial Treasurer, or to forego his right to propose the revocation of that alteration whenever it should appear to him a convenient season for doing so. Some parts of this Bill he agreed with, especially the proposed alterations with respect to the special fund, and, so far as it related to the reserve fund, the alteration proposed was necessary because the system would not work without it; but he did not think the system itself any less objectionable than he formerly did.

Mr. VOGEL was sorry his honorable friend had not been convinced, but he hoped that in course of time he would be convinced that no improvement introduced into the House in modern times had exceeded that of the system of ascertaining the expenditure and comparing it with the amount voted by the House. The House had thus a check not only upon the unauthorized expenditure but on the amounts expended in excess of the amounts voted. It might not be an improvement, from a Government point of view; it would be a sacrifice which the Government would make of a considerable amount of power, by placing in the hands of honorable members a general power of controlling the expenditure. He thought that that was part of a very great improvement.

Mr. CRACROFT WILSON, C.B., said that if this Bill would effect the consummation which the honorable member said it would, he (Mr. Wilson) could only say that it was a consummation which had never been effected since he had been in New Zealand.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

Mr. VOGEL.—This Bill has already been, indirectly, the subject of so much discussion, that I will not detain honorable members by any lengthened notice of its provisions, in moving that it be read a second time. The last clause of the Bill has been slightly altered to meet the case of the Imperial Government gua-

ranteeing a loan of one million. Honorable members are aware that by the last mail we received copies of an incomplete Bill which, when the mail left England, had passed its first reading in the House of Commons. It is impossible to suggest what shape that Bill will have assumed before becoming law; it will, no doubt, have been altered to some extent; but, be that as it may, if the Bill now before honorable members is passed with the last clause as we propose, the Government will be enabled to make arrangements with the Lords of the Treasury. There is a difficulty with respect to making the guaranteed loan a prior charge upon the revenues of the Colony. It is understood that the million is proposed to be raised in five years, at the rate of £200,000 a year; and if an unlimited priority is asked for, that loan would take priority over the defence loan, the money to be raised under which will be wanted from year to year for defence purposes, and for the purpose of paying off certain liabilities. Clearly, it would be impossible for us to give priority of charge to a loan for new public works over one for purposes which imperatively require attention. I think, however, the difficulty will be found to be rather an imaginary than a real one; because, by the addition which we propose to make to the last clause of this Bill, we ask the House to place in the hands of the Government power to make such an arrangement with the Lords of the Treasury as may be found necessary, provided that such contract or arrangement be not inconsistent with the purposes for which this loan is authorized to be raised. In the Imperial Act, I find the words, that the Treasury shall "not give any guarantee under this Act, unless and until provision has been made, either before or after the passing of this Act, by an Act of the Legislature of New Zealand, or otherwise, to the satisfaction of the Treasury," and so on. The words "or otherwise" clearly contemplate some such course as that which we now propose—that a general power shall be placed in the hands of the Government to make such arrangements as may satisfy the Lords of the Treasury. With such a power, it may be possible for the Government to arrange that the one million guaranteed loan shall take priority over any fresh loans subsequent to those that may be authorized this session; and to such an arrangement the House would probably not object. The addition which I have now indicated to the last clause of the Bill, is one which the Government have, after mature consideration, resolved to recommend to the House. It is, of course, quite possible that the Imperial Bill may not have passed without modifications by which larger power is allowed to the Lords of the Treasury than was allowed by the Bill as it was introduced. It may be that they will be allowed to make the guarantee cover, not only the one million, but the four millions which, in all, we are now proposing to take authority to raise. If the period was made ten years, say, instead of thirty-five years, and the guarantee was of interest only, instead of principal and interest, the whole four millions would be made more salable, without involving a larger

risk to the Imperial Government than in the case of the one million only. But those are matters as to which the Government ask that power of arrangement with the Lords of the Treasury shall be left in their hands. I move the second reading of the Bill.

Mr. JOLLIE, who spoke from under the gallery, and was indistinctly heard, was understood to say that, although he believed any opposition he or others might offer to the Bill now under consideration would be as unavailing as that already offered to those other proposals of the Government of which that Bill was the necessary consequence and complement, he was, nevertheless, not disposed, by his silence, to allow it to be imagined that he in any way assented to the Bill as it now stood, or was at all inclined to share in that "enormous responsibility" which the Colonial Treasurer, in his financial statement, truly said the Government had undertaken in proposing such measures. Notwithstanding the modifications those measures had undergone in that House and elsewhere, he must altogether object to their passing, for he considered them still fraught with danger to both the financial and political interests of the country. He would not, on this occasion, reiterate all the objections he entertained to the Government scheme, but he wished to glance at some of its main features, and would refer for a moment to the extent to which he considered they were now about finally to commit themselves and the country. The Bill before them, together with the Immigration and Public Works Bill, and the Defence Loan Bill, not merely authorized the raising of £5,000,000 by loan, but gave the Government the power of extending the financial engagements of the country, in one form or other, to the enormous amount of £13,000,000. By the present Bill it was proposed that they should provide for an expenditure in money of £2,000,000 on railways, £1,000,000 on immigration, £400,000 on roads in the North Island, £300,000 on waterworks on gold fields, £200,000 in purchase of Native lands, £60,000 on telegraph extension, and £40,000 remained to be hereafter apportioned,—making £4,000,000 altogether; whilst, under the Defence Loan Act, there was to be raised another million, of which £790,000, or, including what was intended to withdraw outstanding treasury bills, £827,000, was appropriated for defence purposes, and £173,000 for certain purposes of an exclusively provincial character. Then, under clause 23 of the Immigration and Public Works Bill, authority was given for expending on railways—or encumbering the resources of the Colony, in the shape of subsidies for their construction, guarantee of interest, or land to be given in payment—a further amount of £5,500,000, independent of two and a half million acres of land required for the Nelson and Cobden railway, but which, inasmuch as it had already been set apart by Act of Assembly for that purpose, was rather an incidental than an essential feature of the proposals now before the House. Putting that aside, therefore, the practical money value which the various plans and projects of the Government represented

or required was not less than £10,500,000. The House might remember that on a former occasion he had recognized the necessity of a further loan, but limited to £1,500,000, or, at the utmost, £2,000,000. Now, taking the latter amount, what he should have proposed doing was this: First of all, he would have taken up the £500,000, or whatever was the actual amount of the floating debt; another £500,000 he would have appropriated in aid of defence expenditure over a period of five years; £200,000 he would have set apart for the purpose of inaugurating, cautiously and tentatively, a system of immigration at the expense of the Colony; the remaining £800,000 he should have proposed to expend on public works of the most immediately necessary and useful character, in equal proportions within the two Islands. To that extent, and for those purposes, further borrowing might perhaps be justified, under all the circumstances of the Colony; but the proposals of the Government, as they were originally made, and to the extent they were now about to adopt them, were, in his opinion, quite unauthorized by the actual condition of the country, and immensely beyond its prospects and resources for a long time to come. It appeared to him as if both the Government and the House altogether forgot or ignored the present position of the Colony, and the engagements it had already incurred. They seemed to forget that we had already borrowed seven and a half millions—that the proportion of debt for each man, woman, and child in the Colony reached £30 a head, whilst in England it was only £25 10s.—that the revenue was little over a million, and the existing debt charges, general and provincial, absorbed £474,000, or nearly half of it, whilst the annual expenditure on account of the national debt of Great Britain was little over a third of her revenue. They forgot, besides, that the interest and sinking fund on the debt of the Colony, existing or yet to be incurred, had, nearly the whole of it, to be sent out of the country to the home creditor, instead of being returned to and again fructifying through the pockets of those who contributed it, as in the case of Great Britain. They appeared to forget, also, the position in which the present taxpayers of the Colony would be placed if these new undertakings were to be proceeded with, and heavy additional taxation imposed on them, as would be absolutely necessary in order to meet the cost. The fact was, as it seemed to him, they were about to repeat, in the case of the Colony, on a scale immensely increased, the dangerous experiment which the Province of Southland some years ago ventured on—that of largely over-estimating its resources, speculating wildly on the future, and plunging into debt, beyond reasonable necessity and without reasonable hope of being able to sustain the burdens which it would entail. Southland, however, in her trouble had the Colony to fall back upon, and the Colony, of course, came to her rescue; but he need hardly remind the House that New Zealand, should she now blindly place herself in a similar position, could look for no

helping hand. There was no escape or resource for her in the difficulties she might and would get into through the prosecution of these schemes, except further taxation, which, whether direct or indirect, he believed would not succeed, nor long be borne by the people, for the burden would be too great, and then there remained nothing for it, probably, but the easy though dishonorable course of repudiating their engagements. If he wanted anything to confirm the views he had expressed of the proposals of the Government—of their character and probable effects—he had only to refer to the manner in which they had been spoken of by the press and people of Australia; and he believed it would not be very long before they heard that quite as strong an opinion on the subject had been expressed in England likewise. When referring to the modifications the Government had made in respect to the sum to be borrowed for railway construction—the reduction of that to £2,000,000, and the proportionate increase of the amount for guarantee, &c., he had intended to refer to the case of India, and the large railway transactions which the Government of that country had undertaken during the last ten or twenty years, for the purpose, chiefly, of pointing out that the system of guarantee, upon which the Indian Government had hitherto entirely relied in constructing their existing lines of railroad, was now universally and unreservedly condemned by the authorities of India, and about to be entirely departed from for a system of direct borrowing and of construction under the immediate agency of the Government itself. A very interesting discussion took place on this and other matters in the House of Lords in July, 1869, when the Duke of Argyll made his financial statement as Secretary for India; and if honorable members would refer to that debate, they would find that, whereas the Indian railways—which, it was to be remembered, were a strategical necessity rather than a commercial or economic one—had been heretofore constructed by capitalists or companies on a guarantee of interest at 5 per cent., and at an average rate of £18,000 per mile, it had been determined for the future to borrow—which they could do at 4 or 4½ per cent.—on the security of the land revenue, and, in order to avoid the confusion, delay, and loss attendant upon the system of guarantee, to construct them under direct Government superintendence and control, by which means it was calculated the cost per mile for the future would be reduced to £12,000. But when they heard that, a question naturally arose, irrespective of the system to be adopted, why, if the Indian railways are still to cost, under the most favourable arrangements as to finance, construction, and supervision, £12,000 per mile, railways are expected to be made and placed in proper working order in New Zealand—generally, he believed, as difficult a country as India, and with resources and conveniences for such purposes incomparably inferior at the present time—at rates so low as those which had been named and so much relied on during the present debates, namely, from £3,000 to £5,000

per mile? Leaving, however, these subordinate points, he had intended to conclude by reading to the House from a book now before him—Dr. Arnold's *Lectures on Modern History*—a striking passage descriptive of the evils necessarily incurred by nations and communities when they largely and prematurely, though it might be from actual necessity, anticipate their resources and burden themselves with huge debts; but at that late hour he would refrain from unnecessarily lengthening his remarks. He would only further say, that by the scheme of the Government, and the immense addition which it contemplated to the financial obligations of the country, it appeared to him they were going to abandon what Dr. Arnold had somewhere termed "the highest earthly work—the work of government," its proper sphere and objects, for objects merely material, and, to a large extent, secondary—for advantages that were premature, and, under the circumstances, not to be realized except at too dear a cost; that, along with a railway policy, they were also about to initiate what were known in the home country as railway morals; that they were about to associate and identify the institutions of the country with schemes and projects of every class, and to give to the race of jobbers, speculators, and contractors, a most undue importance within it. The Colony, no doubt, possessed great resources, and a noble position was before it were its affairs, even now, after all the difficulties it had had to encounter, properly cared for and administered. They might, he believed, have made New Zealand morally and politically great, for there was the material, and, also, men of sufficient talent and experience to govern her aright. But they had fallen upon evil days; they were being tempted out of the right path; they were proposing to do what would dwarf the country's healthy growth to maturity, impair, if not destroy, its legitimate progress and development, and also divest it of all moral dignity in the eyes of those who, from the outside, watched their proceedings. It seemed to him that, by their present policy, they were departing from the first principles of all government, that they were about to pervert the very instincts and aspirations of a people, as well as disturb and endanger the interests and prospects of every class of the community, as now existing. They were, in fact, attempting and about to effect a revolution, whereas the art and business of the statesman was, as had been well said, to avoid revolutions, and "render progress at once continuous and calm." Speaking as he did, with such feelings and under such circumstances, he could not but recall two lines from Goldsmith's "Traveller," which had dwelt in his memory ever since, as a boy, he had first read them, but which now, although he had always thought them so true, he felt to be completely contradicted by the actual course of public events in New Zealand:—

How small of all the ills that human hearts endure,
That part which laws or kings can cause or cure.

Goldsmith, he felt sure, had he been a colonist of New Zealand, and witnessed these vagaries of her Government and Legislature, would, poet as

he was, not have written, or, having written, would have been disposed to expunge, those lines; at any rate, he (Mr. Jollie) very much feared that no lengthened residence in New Zealand, and experience of the effects of this great experiment on its financial and political position, would be required to convince ordinary men that laws and lawmakers are sometimes a real power, capable of inflicting on a community a vast amount of mischief, and on poor "human hearts" bitter misery.

Mr. RICHMOND.—Sir, I intend to follow the example of the honorable member for Gladstone, and not address the House at any length on this occasion. When first these plans became known to me I looked upon them as the honorable member for Gladstone has described them, as in the nature of a revolution—a sort of *coup d'état*, and a *coup d'état* of a very inferior quality—and nothing that I have heard, during the debate, from the Government in favour of the scheme—and there has been little said in favour of it by any one else—has at all tended to reassure me on the subject. The temper of this House is that of persons in a state of collapse—in a state of despondency, ready to grasp at any remedy, however improbable. If I were to name those in this Legislature who appear to me really to have any belief in the great schemes which we have on hand, I should be limited, I think, to some three or four persons—to the Colonial Treasurer, and probably the honorable member for Wairarapa, and the honorable member for Clutha. I do not know any one else, unless it might be the honorable member for Omata. The schemes are, in a variety of ways, politically wrong; in fact, I might almost say, a great political crime. They undertake to anticipate the judgment which the Legislatures of future years might fairly claim to have a right to exercise in matters of this kind, and they extend or pretend to extend far beyond the legitimate functions in time of this Assembly. We must remember that we are not now burdening, by our operations, an estate which is in our hands to deal with as we may think fit, but that we are really burdening the industry of future years, if men in future years will consent to bear the burden. I have said that nothing which has occurred during the discussion on this subject has tended to reassure me at all. First of all, it remains evident that this scheme is not only out of proportion to our resources, but out of proportion to any similar scheme ever undertaken by any body of men in any part of the world, and in any period of history. This unprecedented grandeur may be a characteristic of genius, but then we know that genius is often closely allied to insanity. If the scheme is outrageously large in its proportion, it is also as conspicuously loose in its details; it is as ill-conceived, as scantily described to us, and as destitute of all constitutional checks upon those who have the charge of it, as it is possible for it to be. As it was brought down to us, it was an unlimited gift to the Government of the day of money and powers to pledge the Colony, and it has emerged from the Legis-

lature scarcely limited. We had at one time a promise of great concession; we were to have a diminution of borrowing, and we were to have a special act for railways. Well, the special Bill brought down for the railways is exactly of a piece with the original proposals—utterly loose, and utterly without information—and honorable gentlemen know as much about what they are going to do after they have read the Bill as they did before. The proposal for a proper board, it appears, is still fought shy of by the Colonial Treasurer. Confident in his own knowledge of the business he is about to undertake, he still refuses the board which should advise and not control him, and which should protect and not interfere with him. These things convince one, if one needed convincing, that there is no adequate conception, although there is a verbal recognition, of the gigantic responsibilities which we have been undertaking. I agree with what the honorable member for Gladstone has said respecting one form of liability—the guarantee. It is the worst form of borrowing. The Loan Bill now before us really embodies, to my mind, the least objectionable part of the proposals for ways and means. If we are to undertake such a scheme as this, let us do it in terms and figures that we can understand, that we know the value of, and that character applies to this Bill, but to no other part of the scheme. Therefore, it is with some regret that I find myself obliged to vote against this Bill, because really this is the least mischievous part of it. However, I shall feel it my duty to vote against it, because, in its progress through the Legislature, the scheme, as a whole, has met with no serious amendments. Although I am not so well acquainted with the ways of the money market as the honorable member, I still hope we may get out of this prodigious escapade by being exceedingly well laughed at. That is the cheapest and best way we can get out of the matter. We shall in any case spend some money. The Colonial Treasurer, having in his hands the power of plunging us into the scheme, will do so as far as he can, and will give us over again the first act of the Southland tragedy; but whether he will get further remains to be seen. I hope we shall find that there are those at home who can take into consideration the broad features of our case, and that money lenders are not so ill-advised but that they will act upon the knowledge of our circumstances when they get it; but I feel bound to say that if I am wrong in this, and if the scheme proceeds to its natural conclusion, there will be good grounds in the future—in the misery, bitter complaint, and more than bitter complaint that is certain to follow from it—for denouncing the whole affair in a manner which it is hateful to name when discussing financial matters. I can fancy what will be said by those who are now rising up, and who will one day legislate in New Zealand, and it will be excusable then for them to act on it, although it is not in order for me in this House to express it now as my opinion. They will say we have launched a

profligate and gambling policy, and that those in the English money market who assisted us by their carelessness, are not entitled to consideration, and that we having, in point of fact, combined to rob posterity, posterity is not bound by our act. I venture to say, Sir, the time will come when the utter shipwreck of the proposals now before us will morally justify the people of this country in declining to be bound by our action. I move that this Bill be read a second time this day six months.

Mr. BUNNY would not have addressed any observations to the House on the second reading of the Bill had it not been for a remark made by the honorable member for Grey and Bell, when he stated it to be his belief that the only persons who had real faith in the carrying on of large public works for the purpose of developing the resources of the country were the Colonial Treasurer, the honorable members for Clutha and Omata, and himself (Mr. Bunny). In the face of the great support given to the proposals of the Government, all he had to say was, that if the only members of the House who had faith in the proposals of the Government were confined to the few members named, those who had supported the Government were traitors to the country if they supported measures which, in their opinion, were calculated to injure the Colony. He did not think that the honorable member had any right to make such observations in the face of the large support given to the Government measures. The honorable member had a perfect right to entertain his own opinions, as had also the honorable member for Gladstone, but he (Mr. Bunny) was thankful that the country was not entirely represented by gentlemen holding views similar to those two honorable gentlemen. They might state their opinion that the scheme was calculated to bring about ruin to New Zealand. He had held a different opinion for years, and had urged it upon the Government of which the honorable member for Grey and Bell was a member, that it was absolutely necessary for the welfare of New Zealand that they should take steps to develop the resources of the country, and to borrow large sums of money for the purpose of undertaking large public works. He believed some members of that Government entertained similar views. No doubt, the success of the measures brought forward would depend very much upon their administration. He would not support the Bill without certain amendments. He would not advocate the entering upon any provincial system of carrying on public works; but, as he believed the Government were coming down with a colonial scheme, he would support them. The honorable member had gone beyond what he ought to have stated in saying that only a few members had real faith in those measures. The honorable member might be in earnest, and he (Mr. Bunny) was also in earnest in the views he entertained. He would like honorable members to point out to him a measure that any Government had brought forward calculated to confer benefit upon the Colony during the last

sixteen or seventeen years. The three million loan was merely an expenditure for war purposes. Although that money had been squandered, the Colony, with a limited population, could still bear the burden. If that three million loan had been expended on public works, on the introduction of immigrants, and the development of the resources of the country, instead of being a burden it would have been a great benefit to the whole community. If they would only learn wisdom by the expenditure of that money it would be a great point gained. The only difficulty upon which the Government might shipwreck themselves, would be in the administration of the large powers given into their hands. If they wished to leave their mark on the history of New Zealand—a mark that would be a glory and a credit to themselves—they would guard their steps by carrying out what he would call a colonial policy; they would not be carried away by Otago, Canterbury, or any Province, but by carrying out those large colonial works they would leave a mark upon this country which would be a glory to them and a credit to the House. He trusted the Government would see the necessity of making it a colonial work, and banishing anything of a provincial nature from it. They would then be doing a great work in the country, of which they would be proud in years to come. He was not afraid of the rising generation, when they took their place in that House, saying that those who had gone before them had taken upon themselves greater power than they ought to have done, had anticipated the resources of the country for years to come, and that they would be justified in repudiating our engagements. He could not understand those who would say, that in a new country like this, abounding in all kinds of wealth, they could not, with careful administration, develop that wealth, and so benefit themselves and those who would come after them—that they could not use the British capital lying idle for want of use, to their benefit and that of posterity. If the present Government failed in their duty in the recess, and made shipwreck of themselves, and left a mark in the country anything but creditable to themselves, he trusted the new Parliament which would meet within those walls in the course of a few months would do their duty to the country and themselves, and send the Government about their business, and put men more competent to administer those great affairs in their place. He trusted the Bill would be read a second time, and become law during the present session; and he believed that the Government would honestly do their duty, and leave their mark on the country, to their own credit and to the honor of New Zealand.

Mr. BRANDON would support the amendment, because, when the Immigration and Public Works Bill passed through the House, he understood that it was not the intention of the Government to bring down any scheme for railways until next session. He was not the only one who was under that apprehension. He did not think the Government, in bringing down the pre-

sent Bill, had kept faith with the House. He could not reconcile the clauses of the Immigration and Public Works Bill and those of the present Bill; and when he compared them he was at a loss to understand the limit to which the Government had confined themselves; moreover, he did not see how they were to obtain the money to carry out those undertakings. He would, therefore, vote for the amendment.

Mr. LUDLAM could not go altogether so far as the honorable member who had last spoken, but he must say that the House had been led to believe that the Government did not contemplate asking the House to sanction any railways this session. He thought it was only at the last moment, when some pressure was brought to bear upon the Government by some Provinces, the Government were induced to accede to the demand for railways during the present session. He would not go into the question of railways until that Bill came before them. If he did not feel that the Colony demanded some scheme of colonization, he should be inclined to support the motion for the reading of the Bill a second time that day six months. He did not think there were sufficient safeguards in the Bill to render it so safe to the public as it ought to be. When the Government came down and asked the House to sanction the construction of lines of railway, with little or no data upon which they themselves or the House could form an opinion, he felt that the great danger in any scheme of that sort was want of administration. The Government giving way to pressure from behind was a bad omen of the future. If the Government had been driven into a corner, by their opponents, to carry their policy, he could have understood that pressure; but considering the fact that the opponents, or what might have been fairly looked upon as the opposition, to the Government, had in the most candid way brought under the notice of the Government the modifications which they wanted to see in their policy—one of which was that the Government should take no action with regard to railways during the present session—the Government ought to have been strong enough to have withstood the pressure brought to bear upon them. He thought it was a matter of very great regret that they did not fulfil towards the House what they had promised—that they would go no further in the matter of railways until the House was placed in a position to deal with the details of the plans for carrying them out. He felt that the Government had not acted judiciously in the matter, and he looked upon that as a bad omen for the future administration of the railway scheme.

Mr. WILLIAMSON said he considered that it amounted to absolute effrontery for any honorable member to endeavour to throw out a Bill, at this period of the session, which had been already decided upon, to a certain extent, by a full House. The policy embraced in that Bill had been foreshadowed in the financial statement of the Colonial Treasurer, and received the approval of a large majority of the House of Representatives fully assembled. At the same time, if

the title of the Bill had not assured him that immigration should take precedence of public works, he should himself have been disposed to go against it. Public works would be of minor importance unless they were carried on in a manner calculated to open up the country and make way for immigrants, thus bringing about that which he had been advocating for many years past. His honorable friend the member for Grey and Bell had been a Minister of the Crown for years, and he wondered what that honorable member had done to leave his mark behind him worthy of renown, or that would redound to his honor when he had disappeared from the arena of public life in the Colony. The honorable member for Gladstone, too, what had he done to entitle him to denounce a scheme such as the Bill proposed? The honorable member had once made a speech in moving a reply to an address from the Governor of the country, which, as was said afterwards, had it been locked up for a period of years with a speech delivered about the same time by William Thompson, would, in the eyes of succeeding generations, appear to have been the speech of the savage, while that of Thompson would seem as though it had emanated from a man who had profited by the benefit of civilization. Those were the gentlemen who now came forward to retard the progress of the Colony of New Zealand. He said from his own mind what others might say also, that it was such honorable gentlemen as those, who had left no mark behind them worthy of statesmen, who came forward at that late period of the session to arrest the progress of the Colony. He could not listen to them, and he trusted that the House, thin as it was, would repudiate any such propositions. Did the Government ask to raise more than would enable them to carry out the public works and the general scheme of immigration to be subsequently authorized by the General Assembly of New Zealand? Had honorable members looked at the schedule appended to the Bill, which pointed out what was to be done? The railways that were to be constructed were plainly set forth in the schedule, to be afterwards approved of by the General Assembly. It set forth that it was for the purposes of such railways as should "from time to time be determined upon by the General Assembly," including the expenses of raising that part of the £2,000,000. Were he a member of the Government, occupying the position of his honorable friend the Colonial Treasurer, he would not set about the survey of a single line until he had first understood that he was authorized to raise the money to pay the expenses of the work. How could the honorable member employ surveyors, how could he secure plans and sections, and the expensive surveys which should be made, to lay before the next Assembly, unless he were enabled, by the present Parliament, to raise the money necessary for the purpose. They should open up the country, and render it fit for the reception of people, unless they wanted it all to themselves. Robinson Crusoe occupied a territory, and was able to say he was monarch of all he surveyed; but he trusted that the

British mind with which they were endowed—his honorable friend the member for Gladstone included—would feel that this great country was not given to the present inhabitants to hold for themselves: that it was not for their own particular benefit that the money proposed to be borrowed was to be expended, but for the good of the whole British empire. They should not forget that there were many others who were anxious to participate in the benefits which they enjoyed. The great resources of this country would never become known or developed if left in the hands of the few who were now in occupation of it. What was wanted here was population, and it was the duty of that House to give the Government the means of bringing out people who would assist in the object of improving the country and developing the vast resources of it. Of that portion of the country from which he came he could say that its golden hills would continue to be comparatively scraped on its surface, unless there was a great accession in the way of population. He trusted that those narrow-minded legislators who had so long monopolized public places would no longer be tolerated—men who held their seats, not to the advantage, but to the great disadvantage, of the Colony. He trusted that the House that night would refuse to vote with the honorable member for Grey and Bell. If he could see in the policy of that honorable gentleman, for whom personally he entertained the highest respect, anything that aimed at or attempted to bring about the good of the country, he should have voted with him, but as the contrary appeared to him to be the case, he trusted that the House would reject his honorable friend's amendment, and vote in support of the Government.

Mr. HALL could not vote for the amendment of the honorable member for Grey and Bell, and would briefly state his reasons for not doing so. He adhered to the opinions which he had expressed when the scheme of the Government was first submitted to that House, namely, that the Government, after laying its policy before the country, should have abstained from asking the present Parliament to pass the Bills in which that policy was embodied; it should have submitted the scheme to the people of the Colony, who were about to elect representatives to that House. He had stated at that time, and he again asserted his belief, that public works for the development of the resources of the Colony were exceedingly desirable, and that it was their duty to enter upon the work of colonization, but, at the same time, he thought that the Government were proposing to pledge the revenues of the country to a greater extent than its position and resources justified. For that reason, and others, he had asked the Government to allow the whole subject to be referred to the constituencies of New Zealand, who were entitled to be heard on so important a question before it was finally decided. But Parliament, in its wisdom, had taken an entirely different view of its duty to the Colony. It had decided that these large schemes of public works and colonization should be adopted at

once, and in the manner proposed by the Government. That being the case, he, for one, could not refuse to give the Government the materials by which its machinery had to be put in motion. The Assembly would be stultifying itself, and would act unfairly towards the Government, if they now refused to pass this Bill. He felt bound to agree to the borrowing of money for the purposes mentioned, but he adhered to the opinion that the amount proposed to be raised was too large. Another reason why he could not vote against the second reading of the present Bill was, that the execution of railway works by means of loans was the least objectionable way of carrying out such works. He believed the system, which was a favourite one with the Colonial Treasurer, of constructing railway works by means of guaranteeing interest upon money spent upon their construction, to be an exceedingly vicious and dangerous one. He would prefer borrowing money upon the credit of the Colony, and, with that money in their hands, inviting contractors to tender for the work. In that way they would best ascertain how cheaply and how efficiently they could construct their railways. He felt assured that the result of such a mode of proceeding would have been more advantageous to the Colony than guaranteeing interest upon the cost of constructing railways. He could not agree with the statement of the honorable member for the Hutt, that the Public Works and Immigration Bill had been passed on the understanding that the Government would not bring forward, during the present session, any proposals for the construction of railways during the current year. What he (Mr. Hall) understood the Government to state was, that they would not ask the House to sanction the construction of any railway until the line had been surveyed and full information with regard to it could be laid before Parliament. The Government had, therefore, no right to ask the House to consider any railway proposals until such information was placed before it. He took it for granted that when the Colonial Treasurer asked the House to pass his proposed Railway Bill, he would place such information before it. As regarded his (Mr. Hall) own Province, the Government were in possession of all the data that could be required with regard to the proposed lines of railway. The lines contemplated in the Province of Canterbury had been carefully surveyed, and all the information that could be obtained by complete surveys had been communicated to the Colonial Government, and was ready to be laid before the House. He presumed that similar information was in the possession of the Ministry with respect to the other lines which they proposed to ask authority for. If not, the Government had no right to ask for permission to proceed with those lines. He would not trouble the House with any further remarks at that late hour of the evening. He was anxious to be understood as not giving any other approval to the proposals of the Government than he had originally done. He

still thought it would have been better if the Ministry had allowed their general scheme to be decided on by the country at the ensuing general election, and, in the meantime, have taken authority for proceeding at once with such works of acknowledged utility as the House was in a position to decide upon. He felt assured that the House would not have refused its sanction to such works, although declining to commit the Colony irretrievably, until after the general election, to the larger proposals of the Government, which, he believed, involved an expenditure greater than they were justified, by the present resources of the Colony, in incurring.

Mr. MERVYN said that, before the honorable member replied, he should like to ask whether it was proposed to spend the whole of that million in any given time, or whether the Government proposed, under this Bill, to take authority to bring out immigrants to the full extent of the million—whether they were prepared, immediately on this Bill being passed, to bring out immigrants to the full extent of the authority given to them. He thought it would be desirable that some assurance should be given by the Government to the House, that they would not go to the full extent of their powers in that respect, and that the House should have the power of reviewing the acts of the Government from time to time. In the Bill which had been already passed by the House, no guarantee had been taken that the regulations made by the Government should be placed upon the table in order that the same should be reviewed by the House. The Government had taken powers under that Bill, which had not been sought or obtained in the neighbouring Colony of Victoria. In that colony it was made imperative upon the Executive of the day that whatever regulations they made should not be enforced until they had first been assented to by the Parliament of the colony. He should like, before assenting to this Bill, to have from the Government a distinct intimation that they were not prepared to enter into engagements to spend that million of money without further consulting the House, and that the money should be placed in such a position that the House should be able, in future sessions, to review the decision they had come to during the present session; because he could not, for a single moment, shut his eyes to the fact that, so far as he could judge of the scheme of the Government, it was, to a certain extent, based upon false principles. Under the Immigration Bill which the House had previously passed, no inducement was held out to intending immigrants to come to this country in the hope that they might be enabled to settle upon the waste lands. He maintained that unless some such inducement were held out to the emigrants who were invited to our shores, the immigration scheme of the Government must prove a failure; because he believed that the proposal to bring people into this country merely to execute public works, was based upon a false principle, and could not fail to be productive of disastrous results. He wished to make a few

remarks upon the Railway Bill, but as he should have an opportunity of doing that subsequently, he would say nothing upon the subject at present; but he should like to hear from the Government an intimation of the course they intended to pursue before he gave his vote upon this Bill.

Mr. MOORHOUSE.—Sir, before the House divides on this question, I will comply with what seems to be in some sort a duty, and say a few words upon this matter. I have listened with very great pleasure to the speech of the honorable member for Gladstone. I admired that speech, not on the ground that the arguments were calculated to affect the judgment of men who understand the position of the Colony or the position taken by the Government, but because it evinced the earnestness of the honorable member in complying with his view of his duty. I, too, give voice to my convictions on precisely the same grounds. I can realize, in the fullest possible manner, all the anxiety and the responsibility which His Excellency's Ministers take upon themselves in undertaking to pilot this policy from its initiation to the fruition of success. I believe that the resources of this country, if understood by honorable members who, in the course of the debates on this financial policy, have spoken on the subject, have been materially underrated. It is a matter of history in this Colony that the greatest possible measure of success that could be expected from public works which have been commenced, executed, and paid for on the strength of borrowed money, has been achieved. It is a matter of history that the greatest success has attended the construction of public works in one part of the Colony upon this principle, and to my knowledge the magnitude of the scheme was quite as great in proportion to the resources of the Province at that time, as this larger scheme is to the present expanded but undeveloped resources of the Colony. In the course of the debate, an objection was taken by the honorable member for Gladstone, that this financial policy of the Government was immensely too large for our resources. The honorable member, I think, said that we were getting too big for our boots—that our present debt was equivalent to £30 a head on the whole population, while the debt of England was not so much by some £2 or £3 per head. Without concurring in the honorable member's objection, I accept the fact that our debt is, perhaps, £30 a head, and I do not doubt that the debt per head in England is less; but I cannot lose sight of the fact that the resources of this country are entirely undeveloped—that the land is not occupied, while it is capable of sustaining, to an enormous extent, an increased population. After making great allowance for the debt of the country, still the scheme of the honorable gentleman who propounded the financial policy this session promises that the population during the time this money is to be expended shall be increased fully in proportion to the present indebtedness. I have every reason to hope that the proportion will be more favourable to the population of the country at the end of ten years than it is now. Of course, I can understand the value of the

variety of objections raised to this scheme. One was suggested by the honorable member for Manukerika. That honorable member doubts, in his anxiety for the wants of his constituency, whether the Ministry of the day has covered the whole of the ground. He anticipates great difficulty from the fact that, owing to the remarkably complicated land system, the people who are to be imported under this scheme will not find settlement. Well, Sir, that is a difficulty; but surely that difficulty must be as patent to the Administration as to anybody else. Although everything cannot be done in a moment, is it not probable that, under a full apprehension of that difficulty, the honorable gentlemen who are intrusted with the government of the country will address themselves to that difficulty, and take means, supported by the voice of the country, to overcome it? I can well imagine that, in future sessions, this or a succeeding Government will come down probably stronger in the confidence of the country than the present Government, having reconciled all sorts of conflicting interests between rival Superintendents and rival claimants upon the public purse, having reconciled, by a just course of reasoning, all those conflicts of interest which stand in the way of great public measures at the present time, and that some scheme will be adopted which will have the effect of placing the very considerable resources of this country at the disposal of the Government with a view to the introduction of a larger population. I am a supporter of the present Government because in another part of the Colony, before I came up here recently, I was delighted and astonished to read the material policy of the Government, as published in an interesting book connected with this House. I had the greatest possible sympathy with the gentlemen who had undertaken such an arduous duty. I knew very well all the necessary incidents of their position. I knew the very great trials they would have to go through during the passage of this measure, if they were successful at all. I knew the great temptation which is to be found in the consciousness of present power. I knew very well that they would be tempted on all sides by supporters—by the means, in fact, by which they floated in success at the commencement—to surrender that trust which this House has effectively given them in the interests of the whole Colony. I knew that they might be led to make concessions which apparently only involved a present sacrifice, but which might have a prospective value and weight, and which might frustrate the usefulness of their whole policy, and render it utterly inoperative and void. I have, however, no fear of the capacity of the present Government, and I am bound as a supporter to say so, having read this scheme and observed how consistent are its various parts, and how they evidence the greatest possible ingenuity and the exercise of the most deliberate judgment. I am bound to say that my judgment quite justifies me in running the risk of indorsing this scheme, and of expressing my intention, whenever an opportunity occurs, of assisting the Government in attempting to escape from those dangers which always sur-

round such a great scheme as the present. The confidence which I feel in the Government is justified by their administration up to the present moment. I cannot sympathize in the least with the hope expressed by the honorable member for Grey and Bell. I very much regret that that honorable member holds such views, because, from his antecedents and from his known capacity and great experience in this Colony, there is not the slightest doubt that some weight must attach to what is read in *Hansard*, and *Hansard* will be read in London. It is a very fortunate thing that *Hansard* is to be read, for some doubting, croaking, and feminine minds might possibly be affected by arguments used by the leading opponents of this measure. The laugh, in my humble opinion, will not be as against this Legislature, but against those gentlemen who, however conscientious, are standing in the position of men who might be called feeble and timid. The English man of business, you may rely upon it, would never lend one shilling because of the arguments of those who proposed this measure, nor decline lending because of the arguments of those who opposed it; but their conduct as men of business will be to obtain such evidence as is necessary to enable them to form a judgment as to the security of their money. Those who lead public opinion, as it has been called, though there is no public opinion in the matter, are men of the very greatest possible capacity. The merchant prince, the head of a great mercantile establishment in Europe, having correspondence with all parts of the world, is a giant in comparison even with some of the very distinguished honorable members of this House. In that view of the case I feel perfectly confident, notwithstanding what may be stated by those gentlemen who feel themselves justified in expressing doubtful opinions, that the Colonial Treasurer will be successful in his operations in the London money market. I believe, with the honorable members on the opposition side of the House, that this is a very serious business indeed, and agree with them as to the necessity of having effective administration. There is not the slightest doubt the whole country will be extremely anxious to find every seat in the Cabinet filled by men who are entitled to the confidence of the country on the score of their political antecedents. I think the less we make attacks upon our colleagues on the score of antecedents and political miscarriages the better; but we should not forget them. We ought to have an understanding on these matters, and ought to consider the whole story of a man's career in legislation. We ought to remember who had the responsibility of involving the country in three millions of a loan, to be spent in gunpowder and throat-cutting, but we should say as little about it as possible. I remember, in 1862, under a feeling as strong as that which influences the honorable member for Gladstone, standing up in this House, night after night, speaking in the strongest possible terms in condemnation of a policy which it was said by the then Administration would be a cost to the country of some few hundred thousand pounds, and which I pro-

nounced, at that time, would eventuate in a cost of three millions, and which did, in the following session, call for a loan of three millions. I believe, now, we are going to incur a large debt and a serious responsibility; and I believe, considering the case very fairly, we have very fair grounds for expecting ample returns for the capital we borrow.

Mr. VOGEL.—My task in replying upon this discussion is a very simple one indeed, for the opposition which the Bill has met with has drawn forth speeches from the honorable member for Auckland City West, the honorable member for Wairarapa, and the honorable member for Christchurch, which have, I venture to say with the utmost confidence, improved the position of the Government measures. Some honorable members of the opposition, desiring to damage those measures, have indulged in a parting shot, evidently under the impression that it would not be deemed worthy of a reply; but that parting shot has drawn forth answers from different points of the House, vindicating the policy of the session, so that it is not necessary for me to detain the House by a lengthened reply to what has been said adversely to that policy. I must, however, refer to the remarks of the honorable member for the Hutt (Mr. Ludlam)—who I regret to see is not now in the House—implying that the Government were guilty of a breach of faith in proposing to proceed with the construction of certain lines during the ensuing recess. I give an unqualified denial to the assertion or suggestion, that there has been any breach of faith in the matter. What the Government stated to the House, at an earlier period of the session, was that, at the desire of a majority, as they believed, of the House, or at all events of a minority which might be obstructive, the Government would not mix up with the discussion of the Immigration and Public Works Bill, any proposals for specific railways. I think that, on the whole, that decision has not proved an unwise one, seeing the very large amount of local jealousy which has since arisen in connection with the discussion of particular lines of railway. We never did state that we would refuse to the House, or to ourselves, power of discussing the construction of certain railways during the present session. We carried out the view which we took, and which we plainly stated to the House. At a very large meeting of supporters of the Government proposals, representing, I think, a majority of the House—certainly a majority of the members in Wellington—when the modifications proposed to be made in the Government policy were read, it was asked by the honorable member for Clutha, whether those modifications precluded the consideration, during the present session, of the question of constructing the Otago southern trunk railway from Dunedin to the Clutha. The reply we gave was, that we would not then take such a question into consideration one way or the other—that all the Government then said was, that until the Immigration and Public Works Bill had been passed, the question of the construction of the

Otago southern trunk line, or of any other railway, could not be considered in connection with the Government measures. The honorable member for the Hutt may not exactly see the effect of what he has said; but the Government do see it. Of course, it is not for me to say or suggest that the views of the honorable member are tinged by the fact that the railway from Wellington to the Hutt is not one of those for which it is proposed to take power this session; but I do think that he does not see the necessity which presses upon the Government to ask the House to consider, during this session, the construction of certain railways. But let us look at the position of Canterbury and of Otago in the matter. Each of those Provinces already has powers which would enable it to go on with the construction of railways during the recess; and it is quite certain, if nothing else is done, that those Provinces would use their powers during the recess. What would be the result of that? It would be to upset, probably, that equilibrium which we have succeeded in establishing during the present session, by the measures of the Government. If left to themselves, Canterbury and Otago will go in for railways on their own account—they will do so upon extravagant systems probably, because they are not in a position to get their lines constructed, or to borrow money for constructing them, advantageously; and once such steps are taken, those Provinces would probably refuse to become parties to a system designed to be, and which we say is, applicable to the whole of the Colony. I do not think there could be a set of circumstances connected with any public measures, to which may be more justly applied the oft-quoted line—

If one link's broken, the whole chain's destroyed.

If you take out, or except, from the operation of the Bill, any one Province, or if you make it the interest of any Province to stand aloof from the Government measures, you must destroy the equilibrium which has been created, and there can be no guarantee for carrying those measures into effect. Look from what may be done, to what has been done. During the past recess, Otago, in the desire to obtain railways—in the knowledge that even though constructed on extravagant terms, they are yet profitable at times—has arranged for the construction of a line between Dunedin and Port Chalmers, on terms which are, no doubt, most unfavourable to the Province—terms which the provincial authorities would have shrunk from adopting, if there had then been any prospect of the line being constructed under such measures as those of the Government. The policy that railways even though obtained upon very extravagant terms, are in some cases not productive of loss, but of great good, is a policy which, at all events, has been adopted by a large section of the American people. Otago, I say, would, but for the Government measures, have gone on during the coming recess, with railway works, on a 6 or 8 per cent. guarantee, or indeed, upon any terms. Otago, determined not to remain longer without a railway system—determined not to be compelled year after to go on throwing away money upon

road metal only that it might be sunk in swamps of mud—determined not longer to keep its up-country settlers at a disadvantage through paying enormous sums for the carriage of their supplies, —Otago, I say, would, if left unaided, assuredly have entered into railway engagements during the coming recess. Can any honorable member realize what will be the saving, in Otago alone, from enabling the up-country settlers to obtain supplies at a reasonable rate of carriage, such as would be most profitable if paid for carriage on a railway? It would be an enormous saving: and is not such a saving an element to be taken into consideration, when the money cost of constructing railways is being estimated? Necessity, I say, forces upon the Government and the House, during this session, the consideration of constructing certain railways. But now the honorable member for Grey and Bell moves that this Bill be read a second time this day six months. I wish I could think that the honorable member's opposition was, I will not say of a conscientious nature, but of a public-spirited nature; but when I look to his whole course during the session in relation to the Government measures, I am forced to recognize that he has displayed an utter want of public spirit. He talks now of a "profligate and gambling" policy; but when the measures of the Government were first brought down, and the House was asked to decide whether or not it would this session proceed with the consideration of those measures, had the honorable member then the courage to say that he thought it not desirable the House should so proceed, and to challenge a vote upon the question? No. The honorable member made a speech, in one-half of which he abused the Government policy in every conceivable way, while in the other half he took the opposite view, that that policy was the result of a filching, or an adoption, of his own views. But as the session has progressed—as the honorable member's glimpses of office, and even of a return to this House, have become more and more obscured—he has grown desperate; and now he has courage to move that the Bill be read a second time this day six months. The honorable member was willing to go on with the Government measures, so long as doing so chimed in with his own views as to railways that should be constructed. Wellington to Wairarapa, Nelson to Waimea, Picton to Blenheim, Auckland to Waikato—those were lines which the honorable member had no objection to see constructed at once; but he cannot support lines that will go through or connect the great centres of population in the Middle Island. What is the difference between the two policies. Simply this: one is practical, the other is visionary. What did the honorable member mean by publicly accusing us of pirating his ideas—by implying that the Ministry of which he was a member, if they had still remained in office, would have brought down a policy similar to that which is now before the House?

Mr. RICHMOND.—I am sure I never said anything of the kind. I never accused the honorable gentleman of pirating my ideas or the ideas of any of my friends.

Mr. VOGEL.—I may be mistaken; but I so understood the honorable member. "Floating in my head," I think was the phrase he used, as to some such policy as that which we have propounded—whatever "floating in my head" may mean. Now, at the last moment, when the Government have passed the measures relating to their colonizing policy, the honorable member wishes to deny to the Government the means of giving effect to that policy, and he is rash enough to suppose that he will get support in his attempt. It must, I am sure, have been very painful to the honorable member for Heathcote, to declare, as he has done, that he could not vote with his much-respected friend and late colleague, the honorable member for Grey and Bell. But how could the honorable member who a few days ago waited upon the Government and advised the immediate construction of certain railways in Canterbury—who aided in shaping the Immigration and Public Works Bill, giving some very valuable suggestions with that view—how could he support a proposal to deny to the Government the materials for giving effect to their policy, by shelving this Loan Bill? The honorable member for Grey and Bell, however, is happy in not being fettered by any scruples. It is sufficient for him, if he can think he has a possible chance of carrying such a resolution as that which he has proposed. It was probably suggested to him by some honorable members who would not propose such a motion themselves, but who would promise to vote for it; and straightway the honorable member comes forward as though he regarded himself as the leader of the opposition. The honorable member told us in the early part of the session, that he had advocated the construction of railways; and I ask him now, does he not know that it would be utterly useless to propose any scheme of railway construction which did not embrace lines from one end of the country to the other—not to be constructed simultaneously, of course, but from time to time, as it might be found desirable to press on the works. The honorable member had no right to affront the very large number of members who have supported the Government throughout the session, by stating that he believed only four or five members really approved of our measures. The honorable member was invidious enough to indicate certain members as those who had so supported our measures: thereby implying, as I understood him, that the other members who have voted in support of the Government policy have done so against their consciences, or from merely improper motives. In venturing to cast such a reflection, the honorable member has laid himself open to very severe attack. It is not for me to attempt to deal with the honorable member as he deserves to be dealt with; and, at this late hour, I will say no more on the subject than that I hope he will, on thinking over the matter, see in what grossly bad taste such a reflection was, and that he will apologize to the House, instead of compelling some other honorable members to explain to him how exceedingly misplaced such a reflection was. If the Government proposals had

been for purposes of war, instead of for purposes of peaceful settlement, would the honorable member have objected to the amount of expenditure involved?

Mr. RICHMOND.—Yes.

Mr. VOGEL.—The honorable member has often talked to the Middle Island about the necessity for being economical, and about its relinquishing its revenues for years, with a view to settling the Maori question. Has he not, sometimes vaguely, and sometimes plainly, shadowed forth how desirable he thought it for the Colony to spend any amount of money to end the Maori troubles? Is it not really because we wish to spend money for peaceful purposes that he sees no merit in our proposals? This morning, I gave instructions to make the port of Waitara a port of entry; and while listening to the honorable member this evening, it struck me that about a decade had passed since transactions by which he and his had drawn down upon the Colony a curse from which we are but now arising. "Waitara!" The word has been indeed an ominous one to New Zealand. And when I remembered that this Government have to-day opened the port of Waitara for peaceful purposes, and so remembered while listening to the honorable member's objections to a policy which has for its object the opening of the whole of this Island by peaceful means for prosperous settlement, it did seem to me that the honorable member represented the very genius of enmity to New Zealand—an evil spirit which would deny to the Colony all aid towards peaceful progress. I contend, Sir, that the money which we propose to expend cannot, by any possibility, be wasted as the money expended upon war purposes has been wasted. We may suppose that the railways we propose will cost about seven millions sterling—not that we propose to borrow such an amount, but that we propose to take such steps as will lead to such an expenditure; and "profligate and gambling" as our policy may seem to be, in the opinion of the honorable member for Grey and Bell, I say it is not possible that that money can be wasted as though seven million sovereigns were obtained and tossed into the ocean. On the contrary, I am sure that those of us who, ten years hence, are able to look back upon the results of the policy which this House has now indorsed, will have no occasion to be ashamed of any comparison of those results with the results of all the expenditure during the last ten years. The honorable member for Manukerika has asked whether we intend, as soon as our measures have been passed, to pledge the Colony to immigration to the full extent of the powers given by those measures. I can only refer the honorable member to what I have frequently stated, and to what appears in the Immigration and Public Works Bill. We mean to carry out the provisions of the Bill with judicious carefulness—certainly we do not intend to rush into any course equivalent to carrying out the provisions of the Bill in the shortest possible time and with the least regard to consequences. Let me add that some honor-

able members seem to me to regard a commencement of railways with most needless dread. Surely, it is recognizable by those honorable members, that "the great work of colonizing," which they cannot dread, because they must approve of it, is a convertible phrase for, "the construction of roads and the introduction of population." Roads we must have; and if modern science has so economized with respect to railways, that to have them is but little more costly at first than to have macadamized roads, while the former are much more lasting and more easily worked than the latter, why should we deny to the Colony the advantage which modern science enables us to secure? I do not admit that the Bill is open to any such fanciful construction as some honorable members put upon it, out of the House, when they try to lead the country to believe that the Government is going to plunge into enormous expenditure. I tell the honorable member for Porirua that the Bill is meant to provide a machinery for colonizing work—for the construction of railways and the introduction of immigrants; that cheeks are provided, by which the number of immigrants to be introduced, and the extent of railways to be undertaken, can be from time to time regulated. The honorable member is quite right in saying that guarantees for railways will involve responsibility for interest; but it is equally a right statement that guarantees do not also involve responsibility for principal, as is the case when we borrow money. Whatever may be the feeling on the part of some honorable members with regard to the Government policy, there can be no doubt as to the feeling throughout the country. The Government measures have been accepted as a great boon—as the means of opening to the country a future in which there is hopefulness. Those feelings have not been confined to any particular class—assuredly not, as some honorable members have been pleased to insinuate, to the merely needy class. Throughout the length and breadth of the country, and by all classes, feelings in favour of the Government policy have been displayed to an extent which has been most gratifying to us, especially when it is considered how very seldom it is that there is anything like unanimity upon public affairs in New Zealand. I wish there was time for reading to the House a lecture which was recently delivered in Otago by Mr. Justice Chapman. I suppose that the honorable member for Grey and Bell, even, will not insinuate that we are to suspect interested motives on the part of judges—that he will admit that judges are above suspicion as to evil motives which he would cast upon ordinary persons.

Mr. RICHMOND.—I have not attributed evil motives to any one. I have given the honorable member himself credit for the best motives.

Mr. VOGEL.—At all events, the honorable member has talked of our policy involving bribes, in the nature of Christmas trees, for all classes, and of our obtaining support by such bribes. Mr. Justice Chapman's lecture is, I am sorry to say, too long to read to the House; but perhaps I shall be allowed to read about a dozen lines. It

is only a foot-note to the lecture, in which the learned judge, after showing the enormous advantages which Victoria has gained by railways, points out that the proposed railways in New Zealand will be even more beneficial. He says—

"I may here mention, very briefly, that under the railway system proposed to be established in New Zealand, the advantages of both saving and equalization of prices are likely to be greater in proportion to the capital employed, and the proportion of population directly reached, than in Victoria. When Victoria opened her 250 miles of railway, the population was but little over half a million. By the system of inexpensive lines, we should have at least four times the extent of railway for the same money, with about half the population at first, and perhaps about the same number when the lines are completed. Thus our railways will penetrate to a greater distance, and embrace and influence a much larger extent of country—in other words, the advantage will be brought within the reach of a larger proportion of the people. It is quite impossible to calculate this, but it must be obvious."

The whole case for our measures may be summed up in a few words. Do we or do we not believe in the resources of New Zealand? If not, it is not wise that we should spend money in trying to develop the country. But if we do believe in the resources of New Zealand, why should we not march with the time, and try to do rapidly that which would otherwise take a very long while to effect? Why should we not do for the country, in ten years, that which, if the work be not specially and energetically undertaken, will probably not be done in less than 100 years? The Government believe that there are in this country vast and valuable forests, great and varied mineral wealth, teeming fisheries, pastoral lands, and enormous agricultural capabilities. Why should we not say to the overburdened population of the old country, "Here is a land rich in all natural resources. We are willing to develop it to the largest extent, if you will come and make it your home"? That, Sir, is the policy of the present Government.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	6
Majority for	...	...	...	...	29

AYES.

Mr. Baigent,	Mr. McGillivray,
Mr. Barff,	Mr. McIndoe,
Mr. Bradshaw,	Mr. McLean,
Mr. Carrington,	Mr. Mervyn,
Mr. Curtis,	Mr. Ormond,
Mr. Dignan,	Mr. O'Rorke,
Mr. Driver,	Mr. Russell,
Mr. Eyes,	Mr. Stafford,
Mr. Fox,	Mr. Studholme,
Mr. Hall,	Mr. Tancred,
Mr. H. S. Harrison,	Mr. Taylor,
Mr. W. H. Harrison,	Mr. Vogel,

Mr. Haughton,	Mr. Wells,
Mr. Kelly,	Mr. Williamson,
Captain Kenny,	Mr. W. Wood.
Mr. Ludlam,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Bunney,
Mr. Main,	Mr. Creighton.

NOES.

Mr. Brandon,	
Mr. Brown,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Jollie,
Mr. J. C. Wilson, C.B.	Mr. Richmond.

PAIRS.

For,	Against,
Mr. Rich,	Mr. Edwards,
Mr. O'Neill,	Mr. Swan,
Mr. Gillies,	Mr. Munro,
Mr. Macfarlane,	Mr. Collins.

The Bill was read a second time, and ordered to be committed next sitting day.

The House adjourned at twenty-five minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 6th September, 1870.

Immigration and Public Works Bill—Reports—Translation of Bills into Maori—Diseased Cattle Act—Otago Road Boards Validation Bill—Town of Gisborne Land Sales Validation Bill—Bills Committed—Privilege—Volunteer Bill—Second Readings—Native Lands Bill—Wellington Waste Lands Bill—Kaiapoi Native Industrial School Grant Bill—Canterbury Rivers Bill—Traquair and Stuart Hundreds Bill—Messages from the House of Representatives.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

IMMIGRATION AND PUBLIC WORKS BILL.

The Hon. the SPEAKER announced that he had received protests against the Immigration and Public Works Bill from the Hon. Mr. Mantell and the Hon. Mr. J. P. Taylor, which would be open for signature by other honorable members during that day's sitting of the Council.

REPORTS.

The Hon. Colonel RUSSELL brought up the report of the Select Committee on the Johnson Land Bill.

The Hon. Captain BAILLIE brought up the report of the Public Petitions Committee on the petition of certain Natives of Awahuri.

The Hon. Mr. SEWELL brought up the report of the managers appointed to prepare reasons in support of the amendments made by the Legislative Council in the Sale for Non-Payment of Rates Bill, which was agreed to, and ordered to be transmitted to the House of Representatives.

TRANSLATION OF BILLS INTO MAORI.

The Hon. Mr. MANTELL moved, That in order that due effect may be given to Standing

Order No. 316, providing that all Bills introduced into the Council, specially affecting the Maoris, be translated, printed, and circulated in the Maori tongue, for the information of Her Majesty's subjects of that race, it is, in the opinion of this Council, essential that all Bills of the above character, which the Government may propose to introduce during next session, be prepared, translated, printed, and distributed among the Maoris, at a period anterior to the next meeting of the Assembly, sufficient to enable Her Majesty's subjects of that race to express their views and wishes thereupon immediately after such meeting.

The Hon. Mr. GISBORNE said that he admitted the principle of the motion, but he must point out that there were a great many practical difficulties in the way of giving effect to it. Even supposing that all Bills were decided upon during the recess, it would be very difficult, in the circulation of those Bills, to prevent the Maoris from confusing them with Acts which had been passed by the Assembly; besides, it was almost impossible for the best Maori scholar to translate those Bills literally, or to explain them in a way that would be intelligible to the Natives. The responsibility would be thrown upon the Government of telling the Natives the meaning of every clause, which would amount to a judicial interpretation. It was only right that he should draw attention to those inconveniences, although they might, perhaps, be less than those of not publishing the Bills at all. The proper solution of the difficulty appeared to be to have Maori representation in Parliament, because the Maoris, through their representatives, very soon understood the legislation. He thought that his honorable friend was himself favourable to Maori representation, because he voted with Mr. FitzGerald, in 1862, when that gentleman moved that Maori representatives should be introduced into the House of Representatives and the Legislative Council; and, when Mr. Weld's Ministry was in power, in 1865, of which his honorable friend was a member, the Governor stated, in his opening speech he thought, on the 1st of August, that it was his intention to invite certain Native chiefs to meet at Wellington, with a view to giving representation to the Maori race.

The Hon. Mr. MANTELL.—I had resigned in July.

The Hon. Mr. GISBORNE had no desire to impute opinions to the honorable gentleman which he did not entertain, but he believed that the Weld Ministry had, while he (Mr. Mantell) was a member, almost decided to nominate three Maori representatives to the Legislative Council. It was impracticable to distribute all the Bills before the commencement of the session. He, however, fully admitted the principle of giving the Natives an opportunity of expressing an intelligent opinion upon measures which specially affected them.

The Hon. Colonel WHITMORE, C.M.G., was exceedingly sorry to hear what had fallen from the Colonial Secretary, inasmuch as that honorable gentleman had not recognized what was now

universally recognized throughout the country—that the Maori representation was a failure. There was no vote which he had ever given which he so much regretted as his vote in favour of that law. Not only did the Maori members not understand the practice of legislation, but they did not understand the different Bills which were brought down before the House. The present representation was unsatisfactory to the Maoris themselves, and the Natives of the East Coast had expressed themselves as being dissatisfied with the conduct of their representative, Tareha, and asked that he should cease to represent them in Parliament. When the Maori Representation Bill was before the Council, they were asked whether they would have Maori representatives in the Legislative Council, and they said that if they were introduced there it would be through no action of theirs. He believed that the Act would have been repealed this session if it had not been for the idea that it might be supposed that an injustice would be done. The honorable member gave, as an objection, that the Bills would have to be interpreted by the Government, but he could not see that that was at all involved, because a sworn interpreter might translate the Bills without giving any expression of opinion upon them. It was impossible for the Maori representatives to consult their tribes upon the different measures which came before Parliament. He hoped that no attempt would be made to introduce Maori members into the Legislative Council.

The Hon. Colonel RUSSELL was sorry to hear the remarks of his honorable and gallant friend, as he had thought that the day had gone by for the expression of opinions so illiberal. It was illiberal to argue that a Native population, numbering one-sixth of the whole population of the country, should be without representation. He had hoped that those ideas had long passed away. He could scarcely expect that the honorable member would approve of a measure which was introduced by the Hon. Mr. McLean. The result of the experiment had been far beyond what had been expected. He had seen no evil arising from Natives sitting in the House of Representatives, and was only sorry that they were not more adequately represented in that House. The arguments of his honorable and gallant friend all went to show that there was not a sufficient number. He regretted that members of the Native race had not also been introduced into the Legislative Council. He had always advocated it, and he should most cordially meet and greet any Native chief or chiefs whom the Government might introduce into the Council. With regard to the effect which had been produced, he remembered that immediately after the Native members were first introduced into the House of Representatives, direct communication was opened by Mete Kingi with the king party, which, up to that time, had remained in sulky isolation at Tokangamutu, refusing any communication with the Government. If that had been the only result, it would have been sufficient justification for the step. It was not to be argued in the

present day that a large section of the population should be deprived of representation.

The Hon. Mr. SEWELL hoped that the honorable member would allow his motion to be altered. He concurred in the general spirit of the resolution, but he should like to see it read thus, "That all Acts passed by the General Assembly, specially affecting the Maoris, be translated, printed, and circulated in the Maori tongue, for the information of Her Majesty's subjects of that race. That it is highly expedient that the opinions of that part of Her Majesty's subjects should be ascertained, as far as is possible, prior to legislation upon such matters." He thought it desirable that the views of the Natives should be obtained; but they had no collective representation, and the mode in which those views could be ascertained must be left very much to Government discretion. He might say, with regard to the Maori Representation Act, that there was no measure connected with the race which had given him greater satisfaction than the introduction of Maoris into Parliament. He was surprised that the honorable member, who was continually saying that there should be no difference between the races, should oppose the principle of Maori representation. He thought that advantages incalculably great, morally and politically, would result from the fact of having Maori representatives in the Assembly.

The Hon. Mr. JOHNSTON regretted that the honorable member had confined his motion altogether to the Maoris, without considering the interests of his fellow-colonists.

The Hon. Mr. MANTELL sympathized with the honorable member, but the motion had been brought forward at the suggestion of the Government.

The Hon. Mr. JOHNSTON said that if the motion were extended so that all Bills which the Government, during the recess, decided to introduce should be circulated amongst the members of the Assembly before the meeting of Parliament, the business of the session would be greatly facilitated. Some years ago it was the practice of Ministers to circulate the more important Bills amongst members before Parliament met, and the consequence was that when they came on for second reading honorable members were quite prepared. He would suggest that his honorable friend should amend his motion in that direction. It must be in the recollection of honorable members that His Excellency, in opening Parliament, named two Bills to which he specially invited attention, namely, the Land Transfer Bill and the Bankruptcy Bill. Several weeks of the session had passed before those Bills were introduced. The first had been passed, but the Bankruptcy Bill, owing to the late period of the session at which it had been brought forward, would probably lapse in the other House. That result might have been obviated if the practice which he had suggested had been in existence.

The Hon. Mr. HOLMES thought it was very desirable that the motion should be extended in the direction which had been indicated by his

honorable friend Mr. Johnston. Some stand should be made against throwing a dozen Bills on the floor of the House for their second reading, without honorable members having an opportunity of considering them. As an instance, he might remark that his honorable friend the Minister of Justice was about to move the second reading of a Validation Bill which contained 246 clauses, and which was only distributed on the previous day. He had opposed the Maori Representation Bill, and still believed that he was right in doing so, because he considered that no good had resulted even to the Maoris themselves. Those members had been used merely as voting machines. He should oppose any attempt to introduce Maori representatives into the Legislative Council, or to increase the number in the House of Representatives.

The Hon. Captain FRASER thought that the Maori representation was one of the greatest shams that was ever introduced into the Colony. It would be very dangerous to increase the number, as they were bound to vote with the Government. He agreed with the motion of his honorable friend Mr. Mantell. There were about 2,000 Chinese in Otago, and the Bills should be translated into that language, because it had been proposed to put a duty upon rice, which was their principal food, and they ought to have an opportunity of expressing an opinion.

The Hon. Mr. PATERSON had been one of those who supported the Maori Representation Bill, but he looked back with regret upon the part which he had taken, as it had not resulted in any benefit to the Natives themselves or to the country at large. He thought such a measure would have a tendency to show to the Natives that it was desired to put them on an equality with the Europeans, and that introducing some of them into the Legislature would give them more interest in the proceedings, and induce them to endeavour to acquire the English language, that they might the better understand what was done, and thereby any bad feeling that existed might be allayed. He could not say that it had had that effect in any way. He now thought that it was a mistake altogether, and that the Natives were not yet in a position to take their place in the Legislature. As to printing Bills in the Native language, he thought any such attempt would prove as abortive as the other had done.

The Hon. Mr. MANTELL said that, in referring to what had been stated by various honorable members, he would be as brief as possible. The honorable gentleman the Colonial Secretary had stated that it was very likely the Natives would mistake Bills for Acts. He did not believe there was the slightest danger of the Natives doing so, if Bills were printed in the Maori language; in fact, he believed that the honorable gentleman very much underrated the intelligence of the Maoris. The honorable gentleman also stated that it would be almost impossible even for the best Maori scholars to translate certain clauses in a manner which would be intelligible to the Maoris. He differed with the honorable gentleman in that

respect also; in fact, he did not believe it would be much more difficult to make clauses intelligible to the Maoris than it would be to make them intelligible to the minds of many Europeans. There was a difficulty in both cases. They might apply the same remarks to some honorable members, and himself amongst the number, for he confessed that many clauses had been to him a thorough mystery from the time they were proposed until they were amended or repealed. The honorable members suggested that a judicial abstract would be beneficial, but if it were also published in English they would be better able to judge as to whether it was a fair abstract of the Bill. The suggestion made by his honorable friend Mr. Johnston met with his hearty sympathy, and he only regretted that, although he (Mr. Mantell) proposed it, the honorable gentleman had not intimated his intention of taking steps to give effect to his views, to prepare and circulate legislation in advance of the session. With regard to the suggestion of the honorable gentleman opposite, he (Mr. Mantell) might say that he simply based his motion on Standing Order 316, and asked the Council to assent to what it was suggested would be the most practical way of giving effect to it. In referring to the question of Maori representation, he understood the honorable gentleman the Colonial Secretary to reproach him with being an advocate of it.

The Hon. Mr. GISBORNE.—I praised you.

The Hon. Mr. MANTELL said that might have been the intention of the honorable gentleman, but he could not help saying that, before the word crossed the Council Chamber, it sounded very much like reproach. The fact was he had steadfastly opposed such a mockery of representation as was introduced under the Act of 1865. He held in his hand a Bill which was originally proposed by the Weld Government. He was himself asked whether he would suggest the heads of a Bill on the subject, and whether the Bill met his views. His reply was, "I so thoroughly object to the principle of this Bill that I would rather not attempt to modify it." He afterwards made suggestions on the subject, but it was not with a view of introducing the nigger, or any other principle, but to readjust the several districts, and to recognize as property such as passed through the Native Lands Courts. He distinctly refused to take manhood suffrage even for the Natives, but desired that some security should be given, and that they should have some interest before they were placed on the roll. As to the Maori Representation Act, he had reason to believe, from what had fallen from the Maoris themselves, that they regarded it rather as an insult than anything else, and there was no doubt we should regard such a measure as an insult to our intelligence if a Maori Parliament proposed it and allowed it to be passed in that way. The gentlemen so elected were looked upon merely as officers of the Government, and they had all the confidence reposed in them which in that character they could be expected to receive. It was true that the Weld Government did propose to introduce Maori members into the

Legislative Council, and they went the length of selecting the proposed honorable members. He held in his hand a rough memorandum which contained, amongst other things, a list of the names of those Natives who were considered eligible for office. It included the names of fifteen leading men. That list, however, was afterwards reduced to three. The names were written with deliberate distinctness, in order to save the trouble of re-copying them for insertion in the *Government Gazette*. That was the extent to which they went. He afterwards asked what provision would be made that the persons mentioned might be able to take an intelligent part in the proceedings of the Legislative Council. It was thought they would be satisfied to sit, and vote merely when called upon to do so, but that would not satisfy him. He desired to have them assisted by interpreters, and to have documents printed in Maori, but the Bill ultimately fell through because he would not consent to insult the Maoris by offering to them a sham representation. That was the only thing which prevented the three gentlemen to whom he had referred getting seats in the Legislative Council, in 1865. He would be happy to adopt, as far as he could, the amendments of the Hon. the Minister of Justice; but if the honorable gentleman would allow this simple motion to pass, the Government might or might not act upon it after the manner of Governments.

Motion agreed to.

DISEASED CATTLE ACT.

The Hon. Mr. HOLMES moved, That all correspondence between the Superintendent of the Province of Canterbury and all other parties, relative to the Diseased Cattle Act, be laid on the table.

The Hon. Mr. GISBORNE said he should have to apply to the Superintendent of Canterbury for the correspondence referred to.

The Hon. Mr. LEE said the honorable member Mr. Holmes stated, on the day previous, that he would oppose the passing of the Bill unless certain correspondence was laid upon the table. Now, it appeared that the correspondence which he referred to could not be placed on the table during the present session. He was not prepared to say what correspondence there might be available, but, of course, it would be necessary to obtain correspondence from Canterbury, and it was evident that that could not be done during the present session. If the honorable gentleman determined to take the course which had been indicated, he should be forced to the conclusion that the only motive the honorable member had was to throw out the Diseased Cattle Act Amendment Bill.

The Hon. Mr. HOLMES said he had merely asked that the correspondence should be produced in order that he might be thoroughly informed as to the action taken under the Act. He gathered that the Superintendent of Canterbury had exercised powers delegated to him in a harsh and oppressive manner, to the great injury of private individuals; and he thought that if any persons

had been injured by such action, they should not be deprived of obtaining a remedy through the usual legal channel. It was impossible for him to know all that had been done unless the correspondence he had asked for were produced.

Motion agreed to.

OTAGO ROAD BOARDS VALIDATION BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said he should only do so *pro forma*. He could not undertake to say that he was master of the Bill. He had consented to move its second reading out of respect to the provincial authorities, at whose instance the Bill had been introduced. He did not pretend to say that he was acquainted with the details of the Bill.

The Hon. Dr. BUCHANAN said he was sorry he could not support the second reading of the Bill, because, in the first place, they had in Otago, as he understood, a very simple and efficient measure which had worked well; he referred to the District Road Boards Act, which was easily interpreted and administered. He objected to support the second reading of the Bill on another ground, namely, that on nearly the last day of the session this Bill, containing 246 clauses, was brought down for the Council to consider, and, besides, there were now on the paper not less than seventeen orders of the day. The Bill was introduced in another place by an honorable gentleman who, because of the number of his followers and the strength of his political allies, had become, next to the members of the Cabinet, the most powerful man in New Zealand. He (Dr. Buchanan) happened to be present in another place when the House went into Committee on the Bill, and the honorable gentleman to whom he referred went to the table with the Bill in his hand, and said it was true that there were 246 clauses in it, but that he did not intend to allow them to be considered *seriatim*. The honorable gentleman's words were, "You must swallow it as a whole, or I will withdraw it." There happened to be some honorable members present who, in spite of that threat, were foolhardy enough to attempt to consider some of the clauses, and the honorable gentleman, true to his word, withdrew the Bill. He found, by the last number of *Hansard*, that the Bill was afterwards considered in Committee, reported without amendments in the space of about five minutes, and that, on the question that it be read a third time, Mr. Driver remarked that it was not his intention to offer any further opposition to the passing of the Bill, as the Committee of the whole House had thought fit to swallow it, with its 246 clauses, without its being read. He wished to record his protest against that proceeding. He (Mr. Driver) then said he wished to remark upon the circumstances under which the Bill had been withdrawn in Committee. The mover of the Bill said he would withdraw it, and moved that the Speaker leave the chair, but afterwards refused to divide when a division was called for. He (Mr. Driver)

was in the building at the time, and shortly after the honorable member stated he had withdrawn the Bill, he was told that it had passed. The Chairman of Committees, in speaking on the question—he was sorry that he could not give the honorable member's words—said, in effect, that it was the most astonishing proceeding he had ever heard of. The next time they heard of the Bill was when it was introduced into the Council, where it had been, as it were, flung on the floor. The honorable member who introduced it in the other House did not think it worth his while to ask any honorable gentleman of the Council to take charge of it, and it consequently fell through. He supposed the honorable gentleman considered it was the duty of the Government to look after any Bills in which he was concerned. He (Dr. Buchanan) moved, as an amendment, that the Bill be read that day six months.

The Hon. Mr. HOLMES said he merely desired to refer to those features of the Bill which he considered deserved special consideration. The Bill gave power to levy rates in such a manner that the landlord or the Crown would derive all the benefit from the improvements made with the taxes levied under this Bill, whilst the tenant might be deprived of any interest in them at a day's notice. Again, every road board would have power to borrow to the extent of £3,000: there were thirty-nine road boards, and they would thus be giving a borrowing power to the extent of £117,000—a power which he considered it was undesirable should be given. Clause 47 also contained an objectionable feature, in that it gave power to rate retrospectively; for instance, a tenant might take a farm and be obliged to pay rates due by the tenant who preceded him, or a person might purchase land and be called upon to pay taxes due by the party from whom he had purchased. They should also consider this fact, that in Otago they had a very simple, workable Bill, and that they required nothing further. This was the third time the Bill had been before the Parliament: it was not at all adapted to the purposes it was intended to serve; it was too voluminous. He did not believe that any body of farmers would know how to administer it. If the Bill were validated they would require to go through it clause by clause, but as the Parliament was near its dissolution, he did not think there would be time to go through the Bill with sufficient care. He therefore considered that the amendment of his honorable friend Dr. Buchanan should be adopted.

The Hon. Mr. MCLEAN said he also rose to support the amendment. It was utterly impossible that, at this late period of the session, the Council could deal with the schedule of the Bill; in fact, he feared that even the Hon. the Minister of Justice would not be able to master the Bill under three months. It contained no less than 246 clauses, giving all manner of powers. There was a power to levy rates, and to divide boards into sections or wards, and they could levy special rates. Then, there was power given to make bye-laws, which the Superintendent could first sanction and then disallow. In fact, there was no

possible conceivable power which could be enjoyed by man that was not given under this Bill. He had never seen such a Bill, nor did he believe anybody else had. It had been copied from a Victorian Act brought into operation ten years ago, and which had been so amended that there was scarcely any part of the original Act left. The Bill had been brought in with a view to abolish the provision of supplementing the rates by £2 to £1. The Road Ordinance which was in operation in the Province, was acknowledged to be one of the best within the four corners of the Colony. He intended to support the amendment, and if it was not carried he would move that the schedule be gone into clause by clause.

Amendment agreed to.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

On the motion of the Hon. Mr. GISBORNE, it was ordered, That the Town of Gisborne Land Sales Validation Bill be committed this day.

BILLS COMMITTED.

The following Bills were considered in Committee:—

The Fire Inspectors Bill was reported without amendment, read a third time, and passed.

The Town of Gisborne Land Sales Validation Bill, the Provincial Sheep Ordinances Validation Bill, the Summary Prosecutions Bill, and the Nelson College Bill, were reported with amendments, and the third readings fixed for next sitting day.

The Nelson Crown Lands Leasing Bill and the Militia Bill were reported with amendments, which were agreed to, and the Bills read a third time, and passed.

PRIVILEGE.

The Hon. the SPEAKER desired to call attention to certain irregularities which had taken place with respect to a certain Bill. The Traquair and Stuart Hundreds Bill came up from the House of Representatives, the other day, for the concurrence of the Legislative Council, but another Bill with the same certificate, but which was totally distinct from the one sent up from the House of Representatives, had been sent for distribution among honorable members. This latter Bill contained some proposed amendments in the preamble, and additional clauses. He strongly deprecated the circulation of incorrect copies of Bills amongst honorable members, as it was his duty to see that the Bills which were distributed were correct.

The Hon. Mr. SEWELL concurred in what had fallen from the Hon. the Speaker. It was decided, after the Bill came up from the House of Representatives, to propose some amendments in it, and directions were given to have the Bill printed in the usual way, so that the Council might have before it the original Bill and the amendments. Through an error of the printer the Bill had been sent back in the state to which the Hon. the Speaker had referred. He (Mr. Sewell) had directed that it should be returned

to the printer for alterations, so that it might show that it was only intended to explain the amendments. The mistake, he need scarcely say, was quite accidental on the part of the printer, and no blame could be attached to him.

The Hon. Captain BAILLIE said that the blame rested with the Hon. the Minister of Justice, who should have given notice of his amendments in the usual way.

The Hon. Mr. SEWELL said that he had only adopted the usual course.

The Hon. the SPEAKER thought it had only been done in the case of Bills which came from Select Committees.

The Hon. Mr. SEWELL said that if he had sinned, he had sinned in ignorance. He would take care not to do so again; but the result of taking the ordinary course would only be to encumber the order paper.

VOLUNTEER BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that it had been prepared in accordance with the report of the Joint Committee which had been appointed to inquire into the Militia and Volunteer services. It proposed to provide another mode of giving certificates of efficiency. At present, every efficient volunteer after three years' service was exempt from being trained in the Militia. In this Bill it was proposed to give annual certificates, and that after they had received three certificates they might claim one year's exemption for each certificate, although they would be liable to be called out for inspection.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

SECOND READINGS.

On the motion of Hon. Mr. GISBORNE, the Hawke's Bay Crown Lands Sale Bill and the Mohaka and Waikare District Bill were read a second time, and ordered to be referred to a Select Committee, consisting of the Hon. Colonel Whitmore, C.M.G., the Hon. Colonel Russell, the Hon. Mr. Lee, the Hon. Mr. Waterhouse, and the Hon. Mr. Sewell.

NATIVE LANDS BILL.

This Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

WELLINGTON WASTE LANDS BILL.

The Hon. Mr. WATERHOUSE, in moving the second reading of this Bill, said he did so in the absence of his honorable friend Mr. Johnston. He believed it was not contemplated to lower the upset price of the lands, but to facilitate settlement on the Manawatu block, in the Province of Wellington. The provincial authorities had power to sell land at the rate of 10s. per acre without submitting it to auction, but that was the highest price which they could charge unless it was put up at auction. There was, he believed, a probability of the autho-

rities being able to obtain a higher price for the land. He was not aware that there was any principle in the Bill which would be objected to. When the honorable member Mr. Johnston was present he would leave to him the entire charge of the Bill.

The Hon. Mr. SEYMOUR said that, being a member of the Waste Lands Committee, he thought he should mention that this Bill was subjected to considerable alterations, but it appeared that it had been restored to its original shape. He conceived it to be an objectionable principle that the Provincial Council of Wellington should pass resolutions to deal with these lands, set aside for special settlement, on any terms they pleased.

The Hon. Mr. SEWELL said there did seem to be a considerable question involved. They were proposing to give power to the Provincial Council, by resolution, to determine upon the manner in which those lands should be dealt with.

The Hon. Mr. WATERHOUSE said to some extent he laboured under a disadvantage, as he was only acquainted with the general scope and tenor of the Bill. No doubt the honorable member (Mr. Johnston) was instructed in regard to the Bill, and probably he would be prepared to propose some amendment to meet any objections raised. At the present time he would content himself with moving the second reading of the Bill, and if the honorable member (Mr. Johnston) was not present when it was proposed to consider the Bill in Committee, he would move for a further adjournment.

The Bill was read a second time, considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

KAIAPOI NATIVE INDUSTRIAL SCHOOL GRANT BILL.

The Hon. Mr. LEE, in moving the second reading of this Bill, said it would deal with a reserve made in 1862, on Native land, for the purpose of an industrial school at Kaiapoi. The Native reserve there was, in 1862, divided amongst the different Natives, and, at the same time, the reserve in question was set apart as "an endowment to the Church of England, for an industrial school." The school was built and had been carried on for some years past. Unfortunately, however, three months ago, the whole was burnt to the ground, and the Bishop of Christchurch applied to the Provincial Government for assistance towards rebuilding it. Under an arrangement existing in the Province regarding such matters, the Provincial Government were unable to give the assistance required unless the land was conveyed to the Superintendent. The Bishop agreed to convey a portion, four acres, for the purpose, and the remaining sixteen acres were proposed to be retained as a Church of England endowment for a church and parsonage. A church was already built on a portion of the reserve, almost entirely by Natives, and it had been opened for about three years. The reserve was made originally with the full consent of the Natives themselves,

and the transaction was recorded in the appendix to the journals of the House of Representatives for 1862: the matter referring to it was contained in a report by Mr. Buller, dated May 1862. The report was a very interesting one, and gentlemen who took an interest in Native matters would read it with pleasure. Since the year 1862 most of the reserves had been apportioned, in about fourteen acres each, to different occupants; a great quantity had been cultivated by the Maoris and Europeans, and the lands were now exceedingly valuable.

The Hon. Mr. WATERHOUSE wished to say that when this Bill was first placed in his hands he was somewhat startled by its contents, as it appeared to him to be a Bill authorizing the Bishop of Christchurch to surrender certain lands which he held in trust for Native purposes, by conveying them to the Governor, who should reconvey them to the Bishop for the purposes of the Church of England in the diocese of Christchurch. He had since been informed that that was to be done with the full consent of the Natives, and, therefore, his objection to the Bill had been met. At the same time, there was no evidence of those facts before the Council, and he thought that, before discharging the trusts connected with Native reserves, and conveying away those lands, there ought to be some formal inquiry on the part of the Council. The Bill might, to a certain extent, be regarded as a private Bill, and the circumstances should be carefully investigated, in order to see that the Native rights were preserved and that no undue preference was given to the Church of England. He did not see why it should not be held over for twelve months; but if the honorable gentleman objected to that course, he should throw no obstacle in the way of the Bill, but would move that it be referred to a Select Committee.

The Hon. Mr. LEE said that it was important that the Bill should be passed this session, because, until the Bishop had power to divest himself of the original trust, the school could not be proceeded with. There were a considerable number of Maori children there under instruction, for whom temporary provision had been made by removing them to the old orphan asylum near Christchurch; but that was very inconvenient, as they were taken away from their relatives. If the Council thought it desirable that the Bill should be referred to a Select Committee, he should offer no objection, although there was not the slightest necessity for such a proceeding. The land in question was laid down in the list of reserves as an endowment for a Church of England industrial school, so that there could be no claim on the part of other denominations.

The Bill was read a second time, and, on the motion of the Hon. Mr. WATERHOUSE, was ordered to be referred to a Select Committee, consisting of the Hon. Mr. H. R. Russell, the Hon. Mr. Gisborne, the Hon. Mr. Lee, the Hon. Mr. Fraser, and the Mover; the report to be brought up next sitting day.

CANTERBURY RIVERS BILL.

On the motion of the Hon. Mr. LEE, the amendment proposed by His Excellency the Governor in this Bill was agreed to.

TRAQUAIR AND STUART HUNDREDS BILL.

The Hon. Mr. SEWELL moved that this Bill be read a second time. He should propose certain amendments, in Committee, which would alter its character, and meet objections which had been raised, in which he concurred. By section 82 of "The Otago Waste Lands Act, 1866," it was provided that if at any time the lands comprised in any pastoral lease were included within the boundaries of any hundreds which might be proclaimed, such lease should cease and determine, as regarded so much of the land as was included within such hundreds, after a day to be named in the proclamation. In pursuance of that power, two hundreds, known as the Traquair and Stuart hundreds, were proclaimed by the Governor on the 4th November, 1868, but in that proclamation no day was fixed upon on which it should take effect. Until that day was fixed, it was impossible that there could be any legal determination of the interests of the lessees. The proclamation was, however, issued, and was invalid in law. The provincial authorities nevertheless treated the proclamation as a valid instrument, and proceeded to deal with the lands in those hundreds. They had entered into contracts for the sale to various parties of portions of those lands. The stockowners, who would be dispossessed of their holdings to the extent of the land proclaimed, naturally resisted the encroachment upon their vested interests. Litigation commenced, and was still pending, between the lessees and certain persons who had acquired interests under the contracts for sale. There was, therefore, a manifest case in which the Legislature should interfere. The fault rested with the General Government in issuing a proclamation which had this vital defect in it. The interests affected were those of innocent parties, and he thought the Legislature would agree that it was its obvious duty to provide a remedy which would do strict equity between those parties. The Bill sent up from the House of Representatives would, in his opinion, do great injustice. It proposed to validate the proclamation as from the date of its original issue, the effect of which would be to nullify the interests of the runholders as from that date, to validate the rights of persons who had purchased lands, and to put an end to the litigation which was pending simply by extinguishing the rights of one of the litigant parties. It was right that the interests of the runholders should be treated as existing up to the present time: that nothing should be done to place them in a worse or a better position than if the proclamation had never been made. If the Governor were now to issue a proclamation under the existing law, the lessee would be entitled to compensation at a fixed rate; but how then would the case stand with respect to the purchasers? Their contracts would be

vitiated, because the provincial authorities had no power to dispose of the lands unless the proclamation was validated. It was considered that the best course would be to validate the proclamation as from the time it was issued, saving the rights of the runholder up to the present time, and allowing him to receive the compensation to which he might be entitled under the present law; to leave matters in litigation, just as they were now, to be determined by the Supreme Court; and to validate all sales which had taken place. The alterations which he should propose in Committee would be directed towards the attainment of those objects. The purchasers had a right to have their title perfected, being innocent parties whose interests were in jeopardy, as it was possible that, having paid their money, they would not get the land. Until the litigation had been settled, the Province would be debarred from dealing with those lands, and the runholder would not regard the land in dispute as his own, so that it would be locked up, as it were, in chancery, leaving the parties concerned to waste their substance in litigation. He thought that it was the duty of the Legislature to step in and provide a remedy for this state of things.

The Hon. Captain FRASER moved that the debate be adjourned, because he was certain that the Superintendent of Otago would not accept the amendments and would withdraw the Bill. There was no litigation pending, although there was a year ago.

The Hon. Mr. CAMPBELL thought that, whilst the honorable gentleman was strictly correct in saying that no litigation was pending, he was, at the same time, incorrect. The reason why there was no litigation pending was that the party concerned was awaiting the decision of the Legislature before he proceeded with his suit. The whole proceeding in respect to the declaration of the Traquair hundred had been a very wrong act. It had been brought about by the petition of a certain number of people to declare the land a hundred. The Provincial Government replied to that petition that the land was barren and unfit for agricultural purposes, and the petitioners then stated that if it were declared a hundred they would buy a certain amount of land within it; but although those persons pledged themselves to buy several thousand acres, not a single acre had been purchased. Therefore, it would be seen that the simple object in applying for a declaration of the hundred was in order to enable them to run their cattle on it free. Those facts showed how and why hundreds had been declared in the Province of Otago. In fact, he thought it was desirable the declaration of hundreds should be removed from all political influence whatever.

The Hon. Dr. BUCHANAN said he was glad to find that the Hon. the Minister of Justice proposed to insert certain amendments in the Bill, which he thought would have the effect of remedying gross injustice. As he understood the Bill as it now appeared before them, it was intended to legalize a great wrong. He trusted that honorable members would not give their

sanction to it until they were made acquainted with the circumstances of the case. The Stuart hundred he knew very little about, but he could speak more confidently regarding the Traquair hundred, because for several years past he had ridden and driven along a road which runs through a part of it. That hundred consisted of 30,000 acres, on a bleak hill top, and on which there was very little agricultural land, as shown by a report prepared by Mr. J. T. Thompson, the chief surveyor of Otago. It formed part of a run which had been held for some years by Mr. Fulton, who had paid the usual high assessment. It was situated adjacent to the rich agricultural district of the Taieri, in which there were many flourishing farms. Two and a half years ago some of the farmers, finding that, for their increasing flocks and herds, they required more pastoral country, naturally began to cast longing looks at this adjoining run. They consequently got up an agitation, and presented a petition to the Provincial Council, and, as had been stated by a previous speaker, several of them signed a paper to the effect that, provided a hundred was declared, they would be prepared to buy a certain quantity of land. That document was laid before the Provincial Council of Otago, nearly half the members of which were farmers, some of whom resided in the West Taieri district, and were directly interested in the matter; consequently, 30,000 acres of land were taken from the runholder without compensation being awarded him. A Select Committee had been appointed to inquire into the desirability or not of declaring that hundred. He had the report of that Committee before him, and he would read a short extract to show the reasons why they ultimately decided to recommend the declaration of this hundred. It was as follows:—

“In the opinion of your Committee, the arguments in favour of the view of retaining this piece of country as runs may be briefly summed up as follows:—1. The soil is poor. 2. The country is of high elevation. 3. The climate is severe. 4. The great proportion, indeed almost all, of the land being pastoral, it does not seem to come under the class of land that should be opened for settlement. 5. If the proposed hundred is continued as runs, the Government can depend on a sure and steadily increasing revenue from assessment on stock.

“The arguments in favour of the view of declaring this country into hundreds may be briefly summed up thus:—1. The land is in close proximity to the fertile and thickly populated district of the West Taieri. 2. It is of easy access from Dunedin, the road being good, and the distance only from twenty-five to thirty miles. 3. It is intersected to a large extent by main lines of road. 4. From a variety of circumstances, it is extremely important to the farmers of the West Taieri that they should have access to the adjacent high lands. Many have expressed an anxiety to purchase. Your Committee believe that they will purchase to a certain extent.”

This last was the chief reason why the Committee recommended that the land should be

opened up for settlement. Yet not more than one of these farmers, if even indeed one, had bought a single acre. That hundred had been proclaimed for more than two and a half years, and only 1,000 acres had been purchased. Of that quantity, 800 acres were purchased by the proprietor of the run, and the other 200 acres were purchased, as I have been informed, by his relatives. It would thus be seen that what those persons to whom he alluded required was, that they should have the land, not for agricultural purposes, but in order that they might be able to run their stock upon it without paying any assessment whatever. He held in his hand a return which showed what amount of assessment had been received in the year 1868. He found that there were twenty-one hundreds in Otago, comprising about 500,000 acres, and the sums received for assessment amounted to only £324 6s. 6d., and that of these twenty-one hundreds only five paid any rental at all. But the fact to which he desired most particularly to call the attention of the Council was this: that one man had been deprived of 30,000 acres of land, for which he had been paying a high rate of assessment, and that the same land had been handed over to twenty or thirty individuals who paid no assessment at all. He had only to add that the holder of the run, finding that the proclamation was invalid, naturally defended himself by impounding the cattle which he found trespassing upon his run; and the Provincial Executive, at the head of which was one of those farmers living at the Taieri, handed over to the plaintiff in this case £100 of the public money to enable him to carry on the suit against the runholder. Under these circumstances, if the Hon. the Minister of Justice had not expressed his intention of proposing such amendments in the Bill as would give redress to the runholders concerned in both runs, he should have been disposed to move that the second reading of the Bill take place that day six months.

The Hon. Mr. McLEAN said he hoped the Council, after the clear, lucid explanation made by the Hon. the Minister of Justice, would not consider it necessary to adjourn the debate. Had he not heard that explanation, he should have felt disposed to adopt the course which had been indicated by the Hon. Dr. Buchanan, but as the Hon. the Minister of Justice had stated that it was his intention to make some amendments which would be calculated to preserve the rights of all parties concerned, the case was altered. The case had been tried, and would be tried again, and he thought it would be unwise for the Council to step in and prejudice the rights of either party. He trusted the Council would permit the Bill to be read a second time; they would then see what the Hon. the Minister of Justice proposed to do. Unless the rights of the parties were conserved he should oppose the passing of the Bill.

The Hon. Mr. PATERSON said he hoped the Council would not postpone the question. He dissented from the views expressed by some of those honorable gentlemen who had addressed the Council on the question. The fact was, this

affair had entirely arisen from a mistake committed by an officer of the General Government in the preparation of the proclamation. The proclamation was legally issued with this exception: that the officer omitted to state the date on which the rights of the runholders should cease. The mistake was not discovered until some time after the proclamation had been issued, and some lands were sold under its authority, with which at the time no fault was found. The mistake, however, was ultimately discovered, and proceedings instituted against the purchaser, and in consequence of these proceedings the sale of the land was stopped. Again, the report of the Waste Lands Committee proceeded on a fallacy; it was assumed that there was a suit at law pending, whilst, in reality, no suit was pending. There had been, it was true—

The Hon. Mr. CAMPBELL said he desired to correct the honorable member. When he (Mr. Campbell) was returning from Dunedin, a gentleman who intended to proceed against the Provincial Council assured him that he was only waiting for this Bill to be passed by the Legislature before he commenced the action.

The Hon. Mr. PATERSON remarked that if the law was to be staid simply because it was the intention of an individual to institute legal proceedings, the affair would never be brought to an end. Notwithstanding what had been said by the honorable gentleman (Mr. Campbell), he repeated that at the present time no action was pending, and therefore the report of the Committee, so far as that assertion was concerned, went for nothing. The whole affair had arisen in the way he had explained, through a mistake made by an officer in preparing the proclamation. If rights of property were to accrue to one party, and another party was to be deprived of them, simply because a mistake had been committed, he contended that the Council would be entering upon a course which would be attended with great difficulty and might lead to very serious results. If the Bill were passed in the shape in which it had come up, it would put both parties in the position which they would have been in had not the mistake been made in the proclamation. The course which the Hon. the Minister of Justice proposed to adopt would place one party in a better position than he would have been in had the proclamation been issued legally, whilst it would place the other party at a disadvantage. One of the parties had been put to expense by the runholder, on the ground that he trespassed on his land, although really, having purchased the land, there was no trespass in the case. If the Council considered that it would be more consistent with justice and equity that one party should be deprived of rights which he legally enjoyed, and that the other party should be put in possession of rights which he was not legally entitled to, and preferred to act upon a system which would lead to confusion and might entail loss and even ruin upon some of the parties, they would adopt the amendments of the Hon. the Minister of Justice; but if, on the other hand, the Council desired to take a straight course and

do justice to all parties, they would pass the Bill in the shape in which it was originally brought forward.

The Hon. Mr. J. P. TAYLOR said that, after the revelations made by the Hon. Dr. Buchanan, it would be superfluous to comment on the system which had led to the introduction of the present Bill. He dare not trust himself to designate in befitting terms a law which, under the most lax administration, could lead to such results. He regretted exceedingly being obliged to differ in this matter from his honorable friend Mr. Paterson, and could not help being surprised that a gentleman of his kindly disposition, while expressing his sympathy for the problematical wrongs of land applicants who, while paying nothing to the state for it, had acquired the right of free pasturage over 30,000 acres, and should have none to spare for the unfortunate runholders. The fact was that the revelations made by the Hon. Dr. Buchanan could hardly be said to have resulted from an abuse of the regulations. They were vicious in their very nature, bearing in their spirit no resemblance whatever to the old hundreds law; and he trusted that, ere long, through the action of the Colonial Legislature, a system admitting of such gross injustice, and displaying such wonderful absurdities, would come to an end. The Hon. the Minister of Justice had shown them how, in the particular case which had given occasion for introducing the Bill before them, the wrongs done might be in a great measure remedied, and, with the amendments promised by that gentleman, he would vote for the second reading.

The Hon. Mr. MANTELL said that, with regard to the hundreds system, he might state that the system laid down in the Royal Instructions was just the system which was calculated to promote the settlement of the country; but as the system had been perverted by the authorities of Otago, it was one of the most ridiculous and unjust systems which could possibly be devised. Under the original system, one-third of a block of land could be proclaimed a hundred when a certain portion had been purchased, but the creation of such hundreds was based upon the supposition that the good old system of free selection should be continued; but the system adopted in Otago was, in the hands of the provincial authorities, a weapon of corruption. If it was intended that the amendments of the Hon. the Minister of Justice should be appended to the Bill he should not object to the second reading, but assured, as they had been, that if the amendments were made the Superintendent of Otago would withdraw the Bill—although he must say he did not see that the Superintendent as Superintendent had power to withdraw it—

The Hon. Captain FRASER.—His own Bill.

The Hon. Mr. MANTELL said that Superintendents might be members for various districts, and, as such, might introduce Bills, but it was a mistake to refer to them in their position as Superintendents: it would be better to refer to them as the original promoters of the Bill. Of

course he did not wish to say anything derogatory of the present Superintendent of Otago. He entertained all the respect for that gentleman which possibly could be entertained for him, as Superintendent; indeed, he might take that opportunity of saying that gentleman was the incarnation of Superintendents. As the Bill now stood, he should not hesitate to vote against the second reading; but if the amendments of the Hon. the Minister of Justice were appended he should have no objection to the Bill.

The Hon. Mr. SEWELL said that he was in the happy position of mediator between the two parties, but who satisfied neither, which was the greatest testimony to the fairness of his proposals. He did not think that they should consider the probable action of the other House. He was satisfied that if they endeavoured to do justice they would be met in a proper spirit.

The motion for adjournment was, by leave, withdrawn.

Question put, "That the Bill be now read a second time," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	7
Majority for	...	...	...	...	8

AYES.

Captain Baillie,	Major Richmond, C.B.,
Mr. Bonar,	Colonel Russell,
Dr. Buchanan,	Mr. H. R. Russell,
Mr. Campbell,	Mr. Sewell,
Mr. Chamberlin,	Mr. Seymour,
Mr. Gisborne,	Mr. J. P. Taylor,
Mr. McLean,	Colonel Whitmore.
Mr. Paterson,	

NOES.

Captain Fraser,	Mr. Mantell,
Mr. Holmes,	Mr. Nurse,
Mr. Johnston,	Mr. Waterhouse.
Mr. Lee,	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

That they had agreed to the amendments made by the Legislative Council in the Immigration and Public Works Bill, with amendments upon those amendments, in which they requested the concurrence of the Legislative Council. The message was ordered to be considered next sitting day.

That they had adopted Standing Orders (inclosed) to regulate the proceedings of the House in regard to private Bills, in which they requested the concurrence of the Legislative Council. The message was ordered to be referred to the Standing Orders Committee.

The Meredith and others Pension Bill, the Stamp Duties Bill, and the Walsh and others Pension Bill, which were read a first time, and the second reading fixed for next sitting day.

The Council adjourned at half-past ten o'clock.

HOUSE OF REPRESENTATIVES.

Tuesday, 6th September, 1870.

Telegraph Station at Blacks—Patea and New Plymouth Road—Case of Mr. Purdie—Press Telegraphic Agency—Waste Lands Committee—Stamp Duties Bill—Supply—Government Insurance and Annuities Bill—Meredith and others Pension Bill—Walsh and others Pension Bill—Provincial Ordinances Validation Bill—Forms and Proceedings—Privilege—Immigration and Public Works Bill—Messages from the Legislative Council—Immigration and Public Works Loan Bill—Treasury Bills Currency Extension Bill—Defence Loan Bill—Railways Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

TELEGRAPH STATION AT BLACKS.

Mr. MERVYN, in asking the Government, Whether it is their intention to establish a telegraph station at Blacks, in the Province of Otago? said, in the contemplated extension of the telegraph in the Province of Otago, from Naseby to Alexandra, it was proposed that the line should go through the township of Blacks. There was a very considerable population in that locality, and the township of Blacks was surrounded by a number of other important districts, and it was fair that they should have conferred upon them the benefit of having telegraph communication right at their doors. A deputation from Blacks waited upon the Deputy Superintendent of Otago on the subject, and the Provincial Government promised to recommend the question to the favourable consideration of the Telegraph Commissioner. He was not aware whether any communication had taken place with the honorable gentleman, but he trusted he would be prepared to accede to the wishes of the inhabitants of that part of the Province, more especially as the cost would be very trifling.

Mr. VOGEL said the Government desired to extend the telegraphic system throughout the country as rapidly as possible, and they recognized the importance of Blacks. At the same time, there was only a certain amount of labour and material at the disposal of the department, and they could not do everything at once. He found, upon inquiry, that instead of taking the wire from Alexandra to Naseby, it would be more desirable to take it from Palmerston to Naseby, in the hope of carrying it on from Naseby to Alexandra *via* Blacks, and so to give two distinct wires to Queenstown. That was what would be done, but he could not state how soon a station would be established at Blacks when the wire was carried through.

PATEA AND NEW PLYMOUTH ROAD.

Mr. KELLY asked the Native Minister, Whether it is the intention of the Government to make a permanent cart road between Patea and New Plymouth; and, if so, when operations will be commenced for that purpose, especially between Opunaki and New Plymouth? A line of road had been temporarily constructed from Patea to New Plymouth, but even in fine weather only a few miles were practicable for carts, and in some

parts of the year it was quite impossible for carts with loads to pass from New Plymouth to Patea; and as that part of the coast, which is situated midway between the two places, and where a settlement is formed, is not at present easily accessible by water, it is very desirable that a permanent road should be opened. He did not say that a macadamized road should be made, but that such parts of the road as were at present impassable should be repaired. There was no prospect of getting a railway to that district for some time to come, but they might have Cobb's coaches running from Wanganui to New Plymouth. In the present state of the road that was quite impossible, but by the expenditure of about £1,000 in repairing the road it might be accomplished. He wished to know what steps the Government intended to take in the matter.

Mr. McLEAN said it was the intention of the Government to have the road in question opened and made a dray road. It was a work of great importance, and as soon as the spring weather set in, and contracts could be made with Natives and others, it would be carried out with as little delay as possible.

CASE OF MR. PURDIE.

Mr. KELLY asked the Defence Minister, Whether the Government will carry out the recommendation of the Public Petitions Committee in the case of Mr. Purdie? It would be recollected that Mr. Purdie's commission was cancelled, some time since, by the late Government, in consequence of an occurrence which took place in New Plymouth. The Public Petitions Committee had considered his case, and recommended that he should have an opportunity afforded him of defending himself against the charges made against him. It was absolutely necessary to the credit of all concerned, that the matter should be cleared up and the blame put upon the proper shoulders, and it was also a matter of common justice to Mr. Purdie, who had been an excellent settler in New Plymouth, and afforded good service in the Militia.

Mr. McLEAN said the recommendation of the Public Petitions Committee was a very fair one, and an officer of superior rank would be authorized to hold an inquiry into the whole matter.

PRESS TELEGRAPHIC AGENCY.

Mr. McINDOE asked the Commissioner of Telegraphs, What arrangement has been made with the New Zealand Press Telegraphic Agency, by which a journal which has joined that agency receives its telegrams before any rival journal in the same town? He was induced to ask the question from a letter which appeared in one of the local papers signed by Mr. G. B. Barton, the editor of the *Otago Daily Times*, in which he distinctly asserted that the journals which had joined that agency would receive their telegrams before any other journal in the same town. He wished to ask the Government if that were correct, and if such an advantage had been conferred upon that agency.

Mr. VOGEL said the honorable member must

have been misinformed, if he supposed the Government had made any such arrangement with the agency in question. The messages of the agency were transmitted in the same manner as any ordinary newspaper correspondent's press messages, priority being given as they were sent into the office. There were two wires, and when there was not a great deal of business it was usual to set apart one for press purposes. The honorable member might rest assured that the association in question had not any privileges over those who had the ordinary use of the wires for press messages.

WASTE LANDS COMMITTEE.

Mr. LUDLAM brought up the report of the Waste Lands Committee upon the petition of certain settlers in the district of Clyde, which was read, and ordered to lie on the table.

STAMP DUTIES BILL.

The House went into Committee on this Bill, which was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

SUPPLY.

The resolutions agreed to in Committee of Supply were reported and agreed to.

GOVERNMENT INSURANCE AND ANNUITIES BILL.

On the motion of Mr. VOGEL, the amendments made in this Bill by the Legislative Council were agreed to.

MEREDITH AND OTHERS PENSION BILL.

On the motion of Mr. FOX, this Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

WALSH AND OTHERS PENSION BILL.

Mr. FOX moved the second reading of this Bill, the object of which was to give an extension of time to certain parties to take up land granted by the Government.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

PROVINCIAL ORDINANCES VALIDATION BILL.

Mr. FOX moved the second reading of this Bill, which had for its object the validation of certain Acts passed by the Provinces, and was similar to others which had been introduced during previous sessions. The necessity for the Bill arose more particularly out of the Provincial Rating Appeal Bill, in consequence of the action taken upon it by the Select Committee.

Mr. CRACROFT WILSON, C.B., asked if the Bill validated the Thistle Ordinances, which were in force in some of the Provinces, but which had been repealed in others.

Mr. FOX thought he could best explain the object of the Bill by reading the second clause, which was as follows:—

" 'The Provincial Acts Validation Act Continuance Act, 1869,' hereinafter referred to as 'the said Act,' shall continue in operation until the end of the next session of the General Assembly; and the words 'next session of the General Assembly,' where they occur in the said Act, shall be construed and read as meaning 'the session of the General Assembly next after the passing of this Act.' "

Mr. STAFFORD thought it was very objectionable to be validating Acts of the Provinces promiscuously from year to year, inasmuch as there were many thereby retained which people would prefer to see abrogated. He thought the Government should, by next session, consider the provincial Acts which required validation, and decide upon those which should be retained and those which should be expunged from the Statute Book.

Mr. HALL thought that the Government were exercising a wise discretion in proposing the continuance of the validation of those Acts for the year; at the same time, he concurred with the honorable member for Timaru as to the desirability of selecting, during the recess, those Statutes which should be permanently validated, and sweeping away those which were not required.

Mr. ROLLESTON believed that in the majority of cases the Provinces would go in for reconstruction; but he thought that at present it was desirable to introduce the Bill submitted to the House.

The Bill was read a second time, and, on the motion for going into Committee,

Mr. CRACROFT WILSON, C.B., said that he had not received an answer from the Premier as to whether the Bill embraced the Thistle Ordinances, which prevailed in five Provinces but which had been repealed in the other four.

Mr. FOX did not know whether the Thistle Ordinances referred to had been validated last year. Those Ordinances which were validated last year would be validated by the present Bill.

Mr. HALL might state, for the information of the honorable member for Coleridge, that, under section 4 of the Act passed last session, the Ordinances referred to might be repealed by the Provincial Council although they had been validated.

Mr. CRACROFT WILSON, C.B., observed that in the schedule of Ordinances validated in 1867, continued in 1869, and about to be continued in 1870, there were certain Ordinances which had been positively repealed, and the repealing Act and the original Act were both to be validated by the present Bill.

Mr. STAFFORD said the repealing Act would be the one really in force. He trusted the Provincial Council of Canterbury would become of the same opinion as the honorable member for Coleridge, and that they should not hear anything more about Thistle Ordinances.

Mr. CRACROFT WILSON, C.B., would ask leave to withdraw his objection to the Bill being committed.

Mr. KELLY said the validation of the provincial Ordinances would work very awkwardly if

the provincial authorities thought proper to exercise the powers they had under the Act.

The Bill was considered in Committee, reported without amendment, read a third time, and passed.

FORMS AND PROCEEDINGS.

Mr. FOX wished to call attention to a point of order in reference to the Standing Orders on private Bills, which had been adopted by the House on the previous day. The course he had thought it right to adopt in the matter was to place the Standing Orders in the hands of the Colonial Secretary, and request him to lay them before the Standing Orders Committee of the Legislative Council, but it appeared that the proper mode of proceeding was, that the Speaker of the House should forward the Standing Orders to the Speaker of the Legislative Council. He would, therefore, move, That the Standing Orders on private Bills agreed to yesterday, be forwarded by message from this House to the Speaker of the Legislative Council, for the consideration of the Legislative Council.

Motion agreed to.

PRIVILEGE.

Mr. MACANDREW desired to call the attention of the House to a question of privilege. It would be recollected that some considerable time ago he had asked for leave to bring in a Bill to validate, or rather to rectify, a technical error which had occurred in the Governor's proclamation of the Traquair and Stuart Hundreds. Leave was granted, the Bill was read a second time, considered in Committee, reported without amendment and ordered to be sent to the Legislative Council. He found that the Bill sent to the Legislative Council was a different Bill altogether. The preamble of the one Bill contained some twenty lines and that of the other thirty lines. The Bill he had introduced contained one page of printed matter, while the Bill before the Legislative Council contained two pages. He had not had time to compare the two Bills to ascertain what difference there existed between them, but he felt it to be a gross breach of the privileges of this House, and he had felt it to be his duty to bring the matter before the House at once. It was a matter which required to be carefully looked into. The Bill he had brought in was simply to rectify a mistake, whereas the Bill sent to the Legislative Council contained other matter, and appeared to be for a different object altogether. It provided for certain compensation being paid to runholders concerned in those hundreds, which his Bill did not at all provide for. He wanted to know how a totally different Bill, bearing on the face of it the same title precisely and purporting to have been brought in by him, and with the *imprimatur* of its having passed this House, could have come before the other branch of the Legislature. The Bill he had introduced was passed through Committee without any amendments being made in it. He could scarcely trust himself to express his opinion on the matter, but he must say he

felt more than surprised how such a thing could have occurred. He had called the attention of the House to the matter as being a gross breach of the privileges of the House, and one which should be thoroughly sifted.

The SPEAKER was sorry he was unable to answer the question put by the honorable member for Clutha. About ten minutes before the House met, his attention had been directed to the fact that alterations had been made in more Bills than one sent from this House to the Legislative Council: he did not know by whom, but it was a most serious matter. A practice of that sort, if tolerated, or at all general, would defeat and invalidate the whole legislation of the House. He would suggest that the House should appoint a Committee of Inquiry to ascertain where and how the alterations were made, as such proceedings were most unauthorized and irregular.

Mr. MACANDREW understood now that the Bill sent up to the Legislative Council had been thrown out, and that the Bill before them was a totally different measure.

Mr. DRIVER said, as the honorable member had just stated that the Bill passed by this House had been thrown out by the Legislative Council, he (Mr. Driver) presumed that the Bill under consideration elsewhere was a measure brought forward by a member of the Legislative Council.

Mr. CREIGHTON said, as he had been informed of the circumstances, that was not exactly how it had occurred. The Bill passed by this House was, he understood, sent up to the Legislative Council, and, within three or four days afterwards, a Bill was printed and sent for circulation in the Legislative Council purporting to have been the Bill passed by the Lower House, but it was an entirely different Bill. There was no doubt whatever that there had been an attempt made by some one to foist altogether a new Bill upon the Legislative Council from the Bill which was passed by the House, and he trusted a Committee of Inquiry would be appointed. There would be no safety in the legislation of that House if such objectionable practices were allowed.

Mr. STAFFORD understood, from the remarks made by the Speaker, that the alterations were not confined to that particular Bill, but that other Bills had been similarly dealt with. Their legislation during the last few days had been very rapid, and very few members understood some of the Bills properly before they were passed through. They would certainly not be encouraged to give more attention to Bills, if they had no assurance that they would go to the other branch of the Legislature in the shape they had intended. It was the first time he had heard such a statement made, and he could only trust that the result of an inquiry would prove that it had not gone to any serious extent. He could hardly imagine what motive there could be for making any alterations. By the machinery adopted during the last few years, the Bills were passed from one branch of the Legislature to the other by the permanent officers, who could have no possible reason to change the form

of Bills. It was a matter of very great surprise to him, and the House generally, that the alterations were not confined to the Bill referred to by the honorable member for Clutha, but that they referred to other Bills passed by that House. There must be some agency at work of which they had no knowledge.

Mr. BUNNY said the honorable member for Roslyn had stated that perhaps the Bill sent up from this House had been thrown out in the other House, and that another Bill might have been introduced into the Legislative Council. That did not appear from the heading of the two Bills. The heading to the Bill introduced by the honorable member for Clutha, stated that it originated in that House, and, having been passed, was transmitted to the Legislative Council for its concurrence. The name of the honorable member for Clutha appeared at the top of it. That Bill contained two clauses. A similar heading appeared to the Bill now before the Legislative Council, and the name of the honorable member for Clutha appeared at the top of it. There must be some magical machinery at work altering Bills before they reached the Legislative Council. The best thing to do would be to appoint a Committee to inquire into the whole matter, and endeavour to ascertain where and how such an occurrence had arisen.

Mr. CARLETON was also at a loss to know how the alteration could have arisen, as the Bill received the signatures of the Speaker and himself. It might be possible that the error occurred in this way. A practice prevailed, which was somewhat objectionable, of Bills being brought in without being printed. Before the Bill was read a second time, but after being printed, amendments were sometimes made in it by the mover, the Bill printed over again, and both copies put into the pigeon-holes. It had happened that the wrong copy had been put into his hands as Chairman of Committees, but, as far as he was aware, it had been found out in time. No later than yesterday, the Colonial Treasurer discovered that he had put the wrong copy of a Bill into his hands, but he had afterwards given him the right one. The first thing to be ascertained was whether the Bill which had been passed had received the signatures of the officers of the House.

Mr. FOX would act upon the suggestion made by the Speaker, and move, That a Select Committee be appointed to inquire into and report upon the question of privilege raised by the honorable member for Clutha. Committee to consist of Mr. Stafford, Mr. Studholme, Mr. Macandrew, Mr. Hall, Mr. Main, Mr. Creighton, and the Mover; three to be a quorum; with power to call for persons and papers, and to report to-morrow.

Motion agreed to.

IMMIGRATION AND PUBLIC WORKS BILL.

The amendments of the Legislative Council in the Immigration and Public Works Bill were taken into consideration.

In the amendment on clause 27, on the motion of Mr. VOGEL, the words "31st day of December," were substituted for "30th day of June."

Page 19, line 1, omit "may," and insert "shall" in lieu thereof; line 2, after "board" insert, "who shall act as a board of advice, and not of control;" and after "time to time," insert, "provisionally or otherwise."

Mr. VOGEL moved that after the word "shall," the words "from and after the end of the next session of the General Assembly," be inserted, and that the words "provisionally or otherwise" be struck out.

Mr. HALL said that as he understood the amendments made by the Legislative Council, their object was to provide that the Government should forthwith be assisted by a board, but that the appointment of members of the board until next session should be a "provisional one." To get over the difficulty which the Colonial Treasurer had raised, that it would be exceedingly difficult to appoint the permanent members of the board at present, the Legislative Council proposed to give the Government power to appoint the members of the board provisionally, so that works might be undertaken for the next twelve months, with the advice of the board. He was sorry the honorable gentleman did not see his way to accept the proposal suggested by the other branch of the Legislature, which proposal appeared to be very moderate and practical.

Mr. VOGEL said that the Legislative Council substituted "shall" for "may," and then added the words "provisionally or otherwise," thinking that they would qualify the force of "shall," but really leaving the clause in such a state of confusion that it was impossible to be certain what it meant. The Government, therefore, proposed to leave the matter in that state until next session, when they would ask for power to appoint a permanent board. In the meantime, as soon as the session was over, a Minister of Public Works would have to be appointed to give effect to the Act. He had reason to know that the amendments he had proposed would be acceptable in another place. With regard to the words "provisionally or otherwise," he did not care whether they were struck out or retained. All that the Government wished was, to see that the board when appointed was properly constituted.

Amendment of the Legislative Council, as amended, agreed to.

Mr. VOGEL moved the following new clause, to be inserted after 21:—

Provided further, that all revenue and other proceeds derived from the said land shall and may be applied first in the payment of all such charges, expenses, and other sums of money as shall have been agreed upon between the Governor and the Superintendent of the Province in which the lands are, and thereafter in and towards the cost, charges, and expenses under this Act of introducing immigrants into the Province in which such lands are, and of such cost, charges,

and expenses of the construction of railways under this Act as may be determined by the General Assembly; and the Colonial Treasurer is hereby authorized to pay out of such revenue and proceeds the costs, charges, and expenses authorized as aforesaid.

Mr. RICHMOND, before that clause was put, wished to call the attention of the honorable gentleman to the fact that in the Confiscated Lands Act of 1867 there was full power given to the Government to hand over the lands to the Provinces without any limitations of the kind, but subject to such limitations as the Government might think fit to impose. He did not know whether the honorable gentleman wished to repeal that clause, as it appeared to him (Mr. Richmond) that if he did not, the law would remain the same as it stood in the clause as it came down from the Legislative Council.

Mr. VOGEL said the Government would not be prepared to recommend the repeal of the clause of the Confiscated Lands Act, as it might be required to be used.

Amendment of the Legislative Council, as amended, agreed to, and the remaining amendments agreed to.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

The Government Officers Guarantee Bill, with amendments, which were ordered to be considered next sitting day.

That the Council had agreed to the amendments made by the House of Representatives in the Land Transfer Bill.

That the Legislative Council do not insist on their amendments in clauses 3, 4, and 9, of the Sales for Non-payment of Rates Bill.

The Militia Bill and the Nelson Crown Lands Leasing Bill, and that they had passed the latter with amendments. The amendments were ordered to be considered next sitting day.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

Mr. VOGEL, on the motion that the Speaker do leave the chair for the purpose of going into Committee on this Bill, said that he proposed to alter the Bill to the extent of making it as nearly as possible an assimilation to the Consolidated Loan Act of 1867. He would therefore propose, in Committee, to strike out clause 4, and to insert two clauses of the Consolidated Loan Act. The only difference would be that under the present Bill the operations could only be carried out by agents, and not by a single agent, and the rate of interest, including sinking fund, if any were authorized, would be 6 per cent., the same as was authorized by the Consolidated Loan Act. Also in clause 11, which fixed the limitation, instead of the cumbrous manner in which it was now stated, that if the bonds bore interest at 6 per cent., they should not be sold under par, the clause would be altered to the effect, "that no bond,

debenture, or other security issued under this Act shall be sold or otherwise disposed of, at a price which would yield the purchaser thereof a higher rate of interest for a year than six pounds for every hundred pounds.²⁷

Mr. RICHMOND said, before the question was put, he wished to be allowed the privilege of saying a few words on a matter which was personal to himself in reply to some remarks of the honorable the Colonial Treasurer, on the previous day, when the Bill was under discussion.

Mr. VOGEL objected to any reference to a former debate.

The SPEAKER said the honorable member for Grey and Bell was perfectly in order, as he was speaking on a subject relating to the Bill before the House.

Mr. RICHMOND.—The honorable member had taken advantage, as he knew very well how to do, of his privilege of replying. In a former debate he had thought proper to make a rather severe attack upon himself. He (Mr. Richmond) always spoke his mind out plainly in the House, and he expected other honorable members to do so also, and he was not at all sensitive about what he considered to be fair hitting. When the honorable member for Auckland City West expressed himself, in general terms, unfavourably as to his abilities, and when the honorable member for Christchurch followed in the same strain, he did not think they had in the slightest degree overstepped the proprieties of debate, nor did he object to the Colonial Treasurer endeavouring to exhibit him as an inconsistent person from passages in *Hansard*; but the honorable member went a little further, and, among a number of complimentary terms, he described him as the curse of New Zealand and an evil genius.

Mr. VOGEL wished to correct the honorable member. He said a curse had been inflicted on the Colony through the honorable member.

Mr. RICHMOND said he would concede to the honorable gentleman all the genius there was between them, whether for good or evil—he did not care for these expressions; what he did object to was the honorable gentleman embodying in speeches which were printed, statements for which he had no foundation whatever, and which were absolutely the reverse of truth. The honorable member insinuated that in some way he (Mr. Richmond) was responsible for the affairs of Waitara, in 1860. Now, he was not going to revive the Waitara debate, to show whether or not he was an evil genius, but simply wished to record, in the same way as the honorable member had taken occasion to record his opinions about him, two or three facts respecting the affair. First of all, on no occasion did he, by printed letter, by published article, by written letter, by word in private or in public, give the slightest foundation for any charge of having taken action at all, good, bad, or indifferent, respecting the Waitara affair. He never was in communication with the Government of the day in any shape, publicly or privately. He never wrote one word in the public press, or spoke one word in any place whatever, on the propriety of the action then taken, except

in one single letter—a letter which was now recorded in the blue books of the Assembly. This came about in the following way: He was at the time, and had been for some few weeks before the surveys were commenced at Waitara, Provincial Secretary at New Plymouth, and, when he heard that it was the intention of the Government to move down troops in support of the surveyors, he drafted a letter in which he stated his own opinions as to what the result of that movement would be, certainly not urging upon the Government of the day to take that movement, nor indeed dissuading them from doing so, except by stating that in all probability the movement, if carried out, would have the effect of uniting, not only the tribes of the place, but the tribes of the country generally, in opposition to the Government. The letter was submitted to the Superintendent, and after something like a Ministerial crisis he succeeded in inducing him to sign it, and it was sent up to the Governor. Beyond that, neither before nor after that affair was he in the slightest degree in communication with the Government upon the subject. There were two petitions presented; one from the inhabitants generally, and one from the Provincial Council—not during the negotiations but during the disturbances which preceded those negotiations—but he had nothing to do with them. He was not sure whether he was present in Taranaki when the first petition was sent up to the Governor, but he was in the Provincial Council when the other was sent up. He was literally as innocent of all those transaction as the Colonial Treasurer himself, and he should not have troubled the House by referring to those ancient times, nor did he now wish to express any opinion about them, but he thought it no more than fair, as the honorable gentleman had thought fit to insinuate that he was instrumental in bringing on the war, that he should offer a distinct denial. What the Colonial Treasurer's motives for making such a statement were he left the House to consider. A reason which had led him to refer to the subject was, that that was not the first time when members of the present Government had thought it not beneath their position to make charges which, he ventured to say, were entirely unfounded, and grossly unfair to himself. In a public place the Premier thought it worthy of himself, notwithstanding the contradictions made in the House, to charge him (Mr. Richmond) with having written in the public papers, expressing his gratification that the country was "in for a general war." Nothing could be further from the truth than that he ever printed, published, or conceived any such idea. What made it the more unworthy that such things should be said, was that they had been contradicted distinctly in the House, and the contradictions were on record in *Hansard*. He would not detain the House longer on the subject. He only wished to give his entire and unqualified denial to the insinuations levelled against him by the Colonial Treasurer. His honorable friend the member for Timaru was well aware that in 1860, when he (Mr. Richmond)

came to take his seat in the House for the first time, the Government were not aware whether or not he would support them in the matter of the Waitara, and it was not until after he had spoken on the subject in the House that they were aware that he was a supporter of theirs.

Mr. VOGEL was very glad to find the honorable member repudiate the action taken in the Waitara case. As he (Mr. Vogel) understood him, he prepared the draft of a letter protesting against the action.

Mr. RICHMOND said the honorable member was misrepresenting him as usual.

Mr. VOGEL.—It would be a very difficult task to represent the honorable member, as he did not himself know very well what he said sometimes. He understood the honorable member to say, most distinctly, that the only action he had taken in the matter was to draft a letter and submit it for the approval of the Superintendent of Taranaki, which letter contained a representation of the very serious effects which would follow the action taken by the Ministry of the day; and he was glad to know that the honorable member did try to avert the consequences of the action taken on that occasion. He was under the impression that the honorable member was identified with the action taken in the matter, and that impression was confirmed by a letter of Governor Gore Browne, which was on record, which stated that the speech he made at Taranaki, which subsequently led to the war, was in accordance with Mr. Christopher Richmond's advice, and that the whole proceedings in connection with the Waitara were approved by Ministers as well as approved by himself. There was very little object in raising a question of this kind on the present occasion.

The SPEAKER asked if the Colonial Treasurer proposed to debate that question, because it was not customary, when a member rose to make a personal explanation, to have that explanation followed up by a debate. The honorable member for Grey and Bell obtained the leave of the House to make a personal explanation, under the impression that his motives and his character had been misrepresented in a preceding debate upon the question. He had made that explanation, and the usual practice was for the debate to drop there.

Mr. VOGEL said the honorable member, in making his personal explanation, had reflected upon him, and he presumed he was entitled to reply in explanation.

Mr. STAFFORD.—The Colonial Treasurer had already, in making his explanation, made statements which he (Mr. Stafford) altogether denied to be the fact. He did not say that the statement emanated from the honorable member, but he had referred to a letter in which he stated that the late Governor, Sir Thomas Gore Browne, declared that against his advice, or at all events, by the advice of his Ministry, the Waitara war commenced. Now, if that statement was going to be made, he (Mr. Stafford) must claim to have an opportunity of going into the whole question, for he had in his custody at the present moment all the confidential memo-

randa between the Governor and Ministers relating to the subject. He was absent from New Zealand when the Waitara war originated, and when he returned he found a state of things in progress which he would not say very much alarmed him, but gave him great anxiety, and for some weeks after his return no further progress was made in the matter. If such statements as the Colonial Treasurer had made were to go forth, he must have an opportunity, and he had the sanction of Sir Thomas Gore Browne to take any opportunity he liked, to state all particulars on the subject.

The SPEAKER.—It must be very evident to the House that the continuation of the debate was inexpedient at the present time. He ruled, as he had said before, that it was not usual to follow up a personal explanation. If the honorable member wished to make certain statements in consequence of what had been said on the other side, he had better take some other opportunity of doing it. It would only involve them in an unprofitable discussion if the debate were continued at present.

Mr. VOGEL would call Mr. Speaker's attention to the fact, that when the honorable member for Grey and Bell referred to a previous debate, he objected to its being done. He had been subjected to great injustice. The honorable member had called in question his statements, and he ought to be allowed to make some personal explanation in reply. What he had said was borne out by an extract from a letter published in *Hansard*. It was not very long, and he would read it to the House.

The SPEAKER must really request that the honorable member would not go in opposition to his ruling. He trusted the honorable member would abstain from proceeding with the debate.

Mr. VOGEL.—Was he to understand that he was denied the right of making a personal explanation?

The SPEAKER said he must exercise his discretion as to when a personal explanation was required or not. He did not think it was required on the present occasion.

Mr. VOGEL said that leaving on one side altogether the Waitara question, there was a point in the honorable members' remarks to which he thought the House would, in justice, allow him to refer. The honorable member accused him of having made a very strong personal attack upon him, and he thought it was fair that he should have an opportunity of saying that the honorable member gave him provocation. The provocation was this: The honorable member not only hinted that there would be repudiation in the future of the liabilities authorized this session, but said he thought that such repudiation would be justifiable. That was the provocation which the honorable member had given him, and he was only sorry that his power was not equal to his will, and that he was not able to make a sufficiently strong rejoinder to the enormous iniquity of such insinuations as the honorable member had thrown out against the future integrity of the Colony.

The Bill was considered in Committee, re-

ported with amendments, which were agreed to, and the Bill read a third time, and passed.

TREASURY BILLS CURRENCY EXTENSION BILL.

Mr. VOGEL, in moving the second reading of this Bill, said its object was to enable the treasury bills which fell due next year to be extended and renewed to the same date as the balance of the outstanding treasury bills. In the Defence Loan Bill, power would be given to take up some of the outstanding treasury bills. He was not in a position to say when they would be able to pay off those which were due beyond September next. This measure was indicated in the financial statement.

The Bill was read a second time, considered in Committee, reported without amendment, and the third reading fixed for next sitting day.

DEFENCE LOAN BILL.

On the motion that the House do go into Committee on this Bill presently,

Mr. DIGNAN said that before the House went into Committee on the Bill he rose, not for the purpose of objecting to the Bill, but to express his great astonishment at a portion of schedule 2. He could hardly imagine how it was that the sum of £50,000 was there debited to the Province of Auckland. That sum of £50,000, in his opinion, was a colonial charge, but he found it was the intention of the Government to make it a provincial charge. He had always understood that the compensation which was to be awarded to Mr. Busby by the action of this House was to be a colonial charge and not a provincial charge. As a taxpayer of the Province of Auckland, and as one of the representatives of a number of the taxpayers of the Province of Auckland, he did not consider that it was fair to debit the Province with that amount, and he now solemnly protested against the course the Government were pursuing in the matter. The other portion of the £50,000 was charged under the Loan Allocation Act. He did dispute that amount himself, and it had been disputed by the Provincial Council, who decided, unanimously, that it was not a fair charge against the Province, and even the honorable member for the Bay of Islands gave his voice for making it a colonial charge; but now the Government had made it a provincial charge. The member for the Bay of Islands, in the Provincial Council of Auckland, had pledged himself to use his influence to relieve the Province from that unjust charge.

The House then went into Committee.

IN COMMITTEE.

Schedule 2.—To provide for a payment to be made by the Province of Auckland to James Busby, Esq.; and for a payment to be made to the New Zealand Government under "The Loan Allocation Act Repeal Act, 1867," a sum not exceeding £50,000.

Mr. O'RORKE moved that the sum of £50,000 be reduced by £23,000.

Question put, "That the sum be so reduced,"

upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	15
Majority for	...	...	...	...	4

AYES.

Mr. Baigent,	Mr. Main,
Mr. Brandon,	Mr. McGillivray,
Mr. Bunny,	Mr. McIndoe,
Mr. Dignan,	Mr. Ormond,
Mr. Driver,	Mr. Russell,
Mr. Eyes,	Mr. Studholme,
Mr. H. S. Harrison,	Mr. Taylor.
Mr. Kelly,	<i>Tellers.</i>
Mr. Ludlam,	Mr. O'Rorke,
Mr. Macandrew,	Mr. Williamson.

NOES.

Mr. Barff,	Mr. Richmond,
Mr. Carrington,	Mr. Rolleston,
Mr. Fox,	Mr. Vogel,
Mr. Jollie,	Mr. Wells,
Captain Kenny,	Mr. J. C. Wilson, C.B.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. McLean,	Mr. Creighton,
Sir D. Monro,	Mr. Curtis.

The motion was consequently agreed to.

HOUSE RESUMED.

The Bill was reported with amendments.

Mr. VOGEL moved that the Bill be recommitted for the purpose of altering schedule 1. The sum stated in schedule 2 had been reduced by £23,000, and he proposed that that amount should be available for paying off outstanding treasury bills.

Mr. CREIGHTON moved that the Bill be also recommitted for the purpose of considering schedule 2.

Mr. VOGEL had no objection to accept the amendment.

Mr. WILLIAMSON said there were several items in schedule 2, and he would like to know upon what particular item the Government wished to have the Bill recommitted. The Committee had, after considerable discussion, determined to reduce one item. If it was upon that item the Government wished to recommit the Bill, he must, whatever might be the consequence of his vote, oppose any such motion. He felt in his conscience bound to do so, and he warned the Government that, in the course they were taking, they were about to do that which would be very dangerous to the interests of the Colony of New Zealand. He protested entirely against the action which the Government had taken with regard to Mr. Busby's case. He believed that was the reason why the honorable member for Newton had canvassed all round for the support of members—to coerce the majority into a minority in this case. He (Mr. Williamson) believed that what he had done was correct and right, and he would strongly object to the Bill being recommitted for such a purpose. He was sorry that his honorable friend the member for Mongonui was not present during the discussion on this item. He could have ex-

plained the action he had taken in the Busby claim since he had succeeded him (Mr. William-son). One thing he was assured of, that in the final settlement of this matter, by the arrangement with the General Government, the Provincial Council of Auckland had not been consulted.

Mr. O'RORKE wished to take the opinion of the Speaker on a matter with regard to the recommitment of the Bill, as proposed by the Colonial Treasurer. He understood the object of recommitting the Bill was to have the sum not voted in schedule 2 voted to a different purpose. He (Mr. O'Rorke) was not sure whether it would not be necessary to get a recommendation from the Governor to carry out the views of the Colonial Treasurer.

The SPEAKER said the schedule appended to the Bill appeared in the nature of a recommendation of the Crown that the money raised under the Bill was to be appropriated in a certain way. He apprehended that, without the sanction of the Crown, it would not be competent for the House to vote any sums in excess of those contained in the schedule.

Mr. CARLETON was about to raise the question of order so as to get an expression of opinion, if possible, before going into Committee. He did not feel satisfied in his own mind about the matter, but his impression was that he would not have power to put the question in Committee. The point was one of a rather novel nature, and he had given it some consideration. The Committee would observe that the Bill was governed by the third section. If it had been an ordinary estimate from the Governor, he certainly would not have power to put the question for an increase. The object of the rule under which the Chairman was precluded from putting a motion for increase was, that they might not increase the charge upon the people; but the present motion would not have that effect, because under clause 3 the whole million sterling was to be raised, whether the schedule were altered or not. In a technical point of view it so closely resembled an estimate, that he should hesitate putting the question unless guided by the authority of Mr. Speaker or the authority of the House.

Mr. VOGEL did not know whether asking that the surplus money not otherwise appropriated should be appropriated for the purpose of taking up an amount of the indebtedness of the Colony could be looked upon in the light of an appropriation. When a member of the Government recommended a clause of that kind, it was understood that it was done with the consent of the Crown, and that it was not necessary to bring down the amounts in separate messages. The objection to the recommitment of the Bill was a strange one, when the object was to take up a portion of the indebtedness of the Colony. In respect of the other object in recommitting the Bill, the reinserting of the clause as it stood, it could hardly be said that it would be necessary to bring down a message in order to do that. He had been told that it was probable the Bill would be carried in its original shape, and he thought it would be just as well to agree to the recom-

mittal without useless discussion. As to the Government taking no proper stand in the matter, he would be sorry that the honorable member for Auckland City West, whose opinion he very much valued, and who had been a most consistent supporter of the Government, should think that they had not. He could assure the honorable member that, in the action the Government had taken, they had refrained from expressing any opinion on the merits of the Busby question. The action taken was the result of the determination come to by the House last session that the matter should be settled. When the provincial authorities stated that they were prepared to settle it, the Government acceded, and did not express any opinion on the merits of the claim.

Mr. STAFFORD said that, assuming that the Bill had been properly before the House, it would hardly be considered as requiring a message from the Governor to reconsider what was already proposed to be done under the original message. One proposal was to enable the schedule to be carried out as originally printed, and he thought the House could consider that motion. Another proposal was, that if the money was not required it could be applied to taking up any outstanding liabilities. There could not be any objection to that; they could either pass the vote as already recommended, or reconsider the question of Mr. Busby's claim. Under section 12 the House could adopt either course.

Mr. FOX said the twelfth section met the whole difficulty of the case.

The SPEAKER said he saw no reason why he should not put the motion for recommitment of the schedule of the Bill. He had no knowledge that it was proposed to do anything in the way of appropriating proceeds of money raised under the authority of the Bill, which was not strictly in conformity with constitutional procedure observed in other cases.

Mr. O'RORKE would move, as an amendment, the omission of the words "and second." The Committee of the House had given, by a very fair majority, a decision on the point involved in the recommitment of the second schedule. He could not blame his honorable friend the member for Newton for endeavouring to have the Bill recommitment, as he took it for granted the honorable member was only acting under instructions; but he thought the Government should support the views of the majority of the Committee, and that they should not throw their powerful influence into the hands of the minority on this occasion, with a view to the reversal of the decision come to by the Committee. They had the General Government coming forward to indemnify the honorable member for Mongonui for his conduct in regard to the settlement of the claim. If that step had been creditable, and could have borne the light of public investigation, it ought to have been submitted to them months ago, and not in an insidious manner be brought forward at the fag-end of the session. He was willing to take a division now, on the understanding that every opportunity would be given in Committee for

further debating the subject. If the Government would lend itself to that mode of protracting the business, it would be very difficult to know when the session would come to an end. The matter had been disposed of in the most secret manner in the Province of Auckland. He never could gather where the money paid to Mr. Busby had come from, and he thought it was the duty of the honorable member for Mongonui, who had held several meetings of the members of the Province of Auckland, who were alone concerned in this matter, to have put the case before them, rather than that it should be brought down in a surreptitious manner at the end of the session. If Mr. Busby was justly entitled, at the hands of this House, to the sum of £23,000, it ought to have been brought prominently before the House, instead of being included in a schedule of a Defence Loan Bill.

Mr. CREIGHTON would not have addressed the House on the subject had it not been for the remarks of the honorable member for Onehunga, who was evidently labouring under a mistake. He could assure the House there was no secrecy whatever in the arrangement by which Mr. Busby's claim was settled. So far from being secret it became public property, as it was published at the time in the newspapers, with exaggerated details. The honorable member for Onehunga must have become cognizant of the fact that the award was settled. With regard to the charge brought against the Government, he must also say that the honorable member was labouring under another mistake. The honorable member for Mongonui and the Government were not responsible for the delay in that item appearing before the House. It was only at a recent period of the session, and on an occasion, he believed, when the honorable member for Onehunga was present, that the Superintendent of Auckland, and other members of that Province, consented to allow the item to appear at all as a loan in the Bill before the House. The Government could not have come down with the item before the Superintendent and Auckland members consented that it should become part and parcel of the loan. He trusted the House would settle the matter. Without reflecting upon his honorable friends, and those who were acting with them, he must say that their conduct in this matter was hardly generous. Knowing, as they did, that this case was settled, and was likely to come before the House, it was ungenerous to make these attacks in the absence of the honorable member for Mongonui. He could assure the honorable member for Onehunga that he acted under no instructions whatever. He was aware, from the beginning, of the negotiations by which the honorable member for Mongonui settled Mr. Busby's claim, and he did the best he could for the interests of the Province. When this matter was fairly placed before the constituency of the Province of Auckland, without any dust being thrown into their eyes, as was attempted with the House, honorable members who opposed the vote would cut a very small figure indeed. He had too much

confidence in his fellow-settlers in Auckland to think that they would be parties to any underhand proceedings, to cast imputations upon the Superintendent of that Province for having done what he considered to be his duty in the interests of the Province. He hoped the House would recommit the Bill.

Mr. CARLETON had heard statements made in the course of the debate which struck him with astonishment, and which must have been mentioned under circumstances of strong delusion. With regard to this matter, he must remind the House that Mr. Busby had got the money, and, so far as he (Mr. Carleton) was concerned, the whole thing was settled; but he desired to inform those honorable members who opposed the recommitment of the Bill, that they were not injuring Mr. Busby, but they were stopping the work of the Kaipara railway. If honorable members would look at the schedule they would see that the £50,000 was for both. The Superintendent had paid the one, and would have to recoup out of the other.

Mr. O'RORKE rose to a point of order. The Chairman was putting a misconstruction on his amendment. He had moved, as an amendment, not only that the sum be reduced by £23,000, leaving the £27,000 for the Kaipara railway, but also, that the words in the schedule, "for a payment to be made by the Province of Auckland to James Busby, Esq.," should be omitted.

Mr. WILLIAMSON explained that his action in this case was not taken with the intention of injuring Mr. Busby, but of protecting the interests of the Province.

Mr. CARLETON said that the amendment was not that the honorable member for Onehunga had stated. His amendment was that the sum be reduced by £23,000. The honorable member did not move the other. If he had done so he (Mr. Carleton) should have told him that he had no power to put an amendment which altered the specified service named by the Governor.

Mr. O'RORKE did not think that such a flat contradiction as was given to him by the member for the Bay of Islands should be tolerated in that House. He would ask the Speaker to inform him on that point. He repeated that the amendment which he proposed was distinct, not only to reduce the amount by £23,000, but also to omit certain words indicative of the operation of the reduction.

The SPEAKER said it seemed to him to be but a difference of opinion as to the effect of the amendment, which would be better seen when the Chairman reported upon it.

Mr. CARLETON had only to say that the amendment would have the very opposite effect to that which the honorable member for Onehunga supposed.

Question put, "That the Defence Loan Bill be recommitted for the further consideration of the first and second schedules."

Mr. O'RORKE proposed, as an amendment, to leave out the word "second."

Question put, "That the word 'second' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	25
Noes	...	...	...	19
Majority for	...	...	...	6

AYES.

Mr. Barff,	Mr. Mervyn,
Mr. Brown,	Mr. Moorhouse,
Mr. Carleton,	Mr. Munro,
Mr. Carrington,	Mr. Richmond,
Mr. Clark,	Mr. Rolleston,
Mr. Curtis,	Mr. Russell,
Mr. Fox,	Mr. Studholme,
Mr. Hall,	Mr. Swan,
Mr. W. H. Harrison,	Mr. Vogel,
Captain Kenny,	Mr. Wells.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. McIndoe,	Mr. Creighton,
Mr. McLean,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Baigent,	Mr. Ludlam,
Mr. Borlase,	Mr. Macandrew,
Mr. Bradshaw,	Mr. Main,
Mr. Brandon,	Mr. McGillivray,
Mr. Bunny,	Mr. Parker,
Mr. Dignan,	Mr. Tancred,
Mr. Driver,	Mr. Taylor.
Mr. Eyes,	<i>Tellers.</i>
Mr. H. S. Harrison,	Mr. O'Rorke,
Mr. Kelly,	Mr. Williamson.

The amendment was consequently negatived, and the House went again into Committee on the Bill.

IN COMMITTEE.

Mr. O'RORKE moved the omission of the following words from the schedule, "for a payment to be made by the Province of Auckland to James Busby, Esq., and."

The CHAIRMAN explained that such a motion was irregular, but, under the circumstances, he would put it.

Question put, "That the words proposed to be omitted stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	21
Noes	...	...	...	18
Majority for	...	...	...	3

AYES.

Mr. Barff,	Mr. Moorhouse,
Mr. Brown,	Mr. Munro,
Mr. Carrington,	Mr. Richmond,
Mr. Clark,	Mr. Rolleston,
Mr. Curtis,	Mr. Studholme,
Mr. Fox,	Mr. Vogel,
Captain Kenny,	Mr. Wells,
Mr. Kynnersley,	Mr. J. C. Wilson, C.B.
Mr. McIndoe,	<i>Tellers.</i>
Mr. McLean,	Mr. Creighton,
Sir D. Monro,	Mr. Swan.

NOES.

Mr. Baigent,	Mr. Ludlam,
Mr. Borlase,	Mr. Macandrew,
Mr. Bradshaw,	Mr. Main,
Mr. Brandon,	Mr. McGillivray,

Mr. Bunny,	Mr. Parker,
Mr. Dignan,	Mr. Taylor.
Mr. Driver,	
Mr. Eyes,	<i>Tellers.</i>
Mr. H. S. Harrison,	Mr. O'Rorke,
Mr. Kelly,	Mr. Williamson.

The amendment was consequently negatived.

Mr. CREIGHTON moved, That the sum of £27,000 be increased by £23,000, which was agreed to.

The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

RAILWAYS BILL.

Mr. VOGEL.—I have to move the second reading of a Bill to provide for the construction of certain railways, under the provisions of "The Immigration and Public Works Act, 1870." The lines which we now propose to take power to construct have, in various forms, been often before the House on previous occasions; and I have before me documents which would enable me to address the House for, at a moderate estimate, four or five hours. I think, however, that I should ill understand the feeling of the House if I hoped to be allowed so long to detain honorable members; on the contrary, I think it would be a waste of time to attempt to descant with anything like amplitude upon some of these lines, seeing that honorable members from different parts of the country must be far better aware than I can possibly be of the features of the country through which these railways are to pass, and of the peculiar circumstances which justify their immediate construction. Every railway for which, by this Bill, we ask powers to construct, has been before the House as the subject of a private Bill, and, after that trying test, has received the approbation of the Assembly. The lines are:—1. From Dunedin to the Clutha River, in Otago.—2. Portions of the Canterbury railways, namely, the portion of the Great Northern line, from the Addington station on the Southern railway to the town of Rangiora; the portion of the Great Southern line, between the present terminus and the Rakaia River, over which a bridge is now being constructed; and the portion of the Great Southern line between Timaru and Temuka.—3. From Picton to Blenheim, in Marlborough.—4. From Nelson to Cobden.—5. From Auckland to the Waikato Bend. We ask, further, for power to construct a railway bridge, designed also for ordinary traffic, over the Waitaki, the boundary river between Otago and Canterbury; and to arrange for procuring plant to the value of £25,000, in order that we may be enabled to proceed without delay with the construction of such railways as the Assembly may next session authorize. The Bill also contains instructions to the Government to obtain, during the recess, such information as will enable them next session to submit proposals for the construction of the following lines:—Invercargill to the Mataura; Moeraki to the Waitaki; Wellington to the Seventy-Mile Bush, thence diverging east and west, to Napier and to New Plymouth. I will

briefly state the mode in which we propose to secure the cost of the lines which I first mentioned, and the cost which each will involve. Dunedin to the Clutha—the line approved of by the House, formerly under the name of the Otago Southern Trunk railway—by a guarantee on not more than £5,000 a mile, or by borrowing so much money as will be required in addition to Otago's share of the Middle Island railway fund. The Canterbury lines we propose to have constructed out of money to be borrowed; so, also, the Waitaki Bridge. Supposing that we should find it advisable to borrow for the line from Dunedin to the Clutha, the figures would stand thus:—Dunedin to the Clutha, £250,000, which, at $5\frac{1}{2}$ per cent., will be equal to £13,750 a year; Canterbury lines, £200,000, at $5\frac{1}{2}$ per cent., £11,000 a year; Waitaki Bridge, £35,000, at $5\frac{1}{2}$ per cent., £1,925 a year: making a total of £185,000, or a yearly interest amounting to £26,675. But, upon a rough estimate, Otago and Canterbury together will be entitled to about £284,000 out of the Middle Island railway fund. Deduct that from £485,000, and £201,000 will be left, which, at $5\frac{1}{2}$ per cent., will involve a yearly payment of £11,055 as interest. I put it to the House, therefore, that we are not proposing the immediate construction of an extent of railway which will involve any serious charge upon the country. Now, as to the railways which we propose to construct, wholly or in part, by means of guarantee. Of the line Nelson to Cobden, we propose that the portion from Nelson to Fox-hill shall be upon a guarantee, the remainder by grant of land. The guarantee upon an expenditure of £3,500 a mile, will represent a total of £72,000 on which to guarantee, or, at $5\frac{1}{2}$ per cent., a yearly charge of £3,960 for interest. When it is considered that for such a money payment, a railway nearly 200 miles long, and involving an expenditure of little, if anything, short of a million, is to be secured—that it will open up an enormous extent of country, in a part of the Colony which has very great resources—I cannot conceive that the House, whether or not it indorses the opinion entertained in Nelson as to the peculiarly great value and importance of the line, will hesitate to allow a Province which is so well capable of bearing the liability, at once to have the railway proceeded with. Let it be remembered that Nelson's share of the Middle Island railway fund will be about £66,000; and if the Province sets that sum against the £72,000 on which a guarantee will have to be given, there will be an element of security that will leave scarcely any charge to be inflicted as for the possession of the railway. The line Picton to Blenheim will involve a guarantee upon £60,000, or £3,300 for yearly interest. I think that the Province of Marlborough is well capable of bearing that cost. It will receive a considerable addition to its revenue from the policy of the session—under the capitation allowance, I mean; and the opinions of those who have had the railway question under consideration for some time is, that the line will yield something in excess of expenses. It may

not save charge for the guarantee; but if worked cheaply—and there is no reason why trains should be run frequently—the line will, according to the convictions of those who have studied the matter, certainly do something more than pay expenses. The line from Auckland to the Waikato will involve a guarantee upon a sum of about £160,000, or, at $5\frac{1}{2}$ per cent., a yearly cost of £8,800. There are very few honorable members who are not, in a greater or less degree, acquainted with the merits of this line; and, whether as regards its immediate advantages or its prospective results, I think there can be no question that if it can be obtained at the cost indicated, it is most desirable that it should be at once constructed. It is a railway which has been long sought after by the inhabitants of Auckland: a very considerable sum has already been expended upon it, although no part has been really completed, and the greater portion of the required land has been secured. The total of the three guarantees which I have mentioned is £16,000 a year. Honorable members will see, therefore, that by commencing railway construction upon the scale now proposed, the liabilities to be incurred will not be large—not larger than the Colony, a few years ago, undertook for the sake of securing the Panama service. If we incur those liabilities, the results will be the expenditure of an immense amount of money—the opening up of great tracts of country for settlement—and affording facilities to settlers in up-country districts to save a great deal of money, through obtaining their supplies much more cheaply than would otherwise be possible. Those are advantages to which it is perfectly impossible not to be alive. I hope that, commencing upon this moderate scale, we shall next session be able—or that whoever may then occupy the Government benches will be able—to submit proposals for extending the railway system; not with the idea of completing all the necessary lines within two or three years, but upon a settled plan of constantly increasing the extent of railway lines available for traffic, the great object to be kept in view being the payment of interest on the money expended for the shortest period before that expenditure yields a return. I think I shall best consult the wishes of honorable members if I do not now attempt to enter upon the mass of materials as to different proposed lines which I have upon the table; leaving it open to honorable members to discuss each line separately when we are in Committee, and then giving such information about each as may be deemed necessary. I have upon the table a number of maps, plans, &c., from the private Bill office; and as to each proposed line, there are honorable members who, from local knowledge, are capable of readily explaining the plans, and giving the fullest information respecting works. At the risk of repeating what I have stated upon a former occasion, I wish to say that, from every point of view, it is most desirable we should resolve this session to make a commencement with our railway system. If we do not do so, there is the great risk that, under powers which they now possess, Otago and

Canterbury will enter into engagements for the railways within those Provinces which we now propose to construct, and that, next session, the representatives of those Provinces will decline to be parties to a general system of railway works. If we do now resolve to make a commencement, we shall be giving earnest to those who may see in our proposed colonizing operations inducements to come here at once, and to offer their services, with the view of ultimately introducing a large amount of capital to be employed in public works. We want to induce such persons to come here, to see and to judge for themselves of the resources of the Colony. There is untold capital in the older countries ready to be employed in works such as we propose, provided proper and sufficient inducement is offered for its employment. I am not blind to the fact that throughout the country there exists, for many and various reasons, a demand for something like an infusion of new life—that there is a strong necessity for the introduction of fresh capital and population—and that the commencement of these great public works will stimulate the enterprise of the Colony, and will make New Zealand be regarded as a place of attraction even to people in neighbouring colonies, where there is a pretence of seeing in our measures a mode of indirectly obtaining population for those colonies. I have read with infinite amusement, statements made in some Australian newspapers, that our colonizing operations will be likely to increase population in Australia; but I say, that it is obvious that the moment we really set our works afoot, this Colony will, without any special assistance being offered, become a focus of attraction for all the unemployed population of the Australian colonies. I believe that it must be seen by the writers to whom I have referred that such will be the case; and for that very reason, perhaps, they are inclined to throw cold water upon our proposals. I admit that it is not right that any colony should take steps to attract population from any other, and it is with no desire to do anything of the sort that our measures have been proposed. If, by what we do, people are attracted from any of the neighbouring colonies, it can only be from the fact that in those colonies a right policy of colonization is not being pursued. Another effect, and a very important one, of at once making a commencement will be, that it will afford to the Colony absolute evidence that the difficulties which have, during the session, surrounded the Government in carrying out their measures, have been overcome—at least, sufficiently for practical effect to be given to them; while, if the measures merely remain on the Statute Book, as approved of by this Parliament, there will be found persons who will be sceptical whether effect will ever be given to the measures, or whether, in the new Parliament, steps will not be taken so to modify them as to render them unworkable. We ask the House now to place the seal upon the great work of the session, by directing that practical effect shall be at once given to our measures, to the extent which is deemed prudent as a commencement. I hope that the second

reading of the Railways Bill will be passed without division, and unanimously; and not only so, but that honorable members may go home to-night having the knowledge, that by reading the Bill a third time and passing it, they have done their share in promoting the commencement of railway works throughout New Zealand.

Mr. BUNNY wished to offer a few observations on the Bill. He assured the Government that, in what he was about to say, he had no desire to embarrass them in carrying out the policy which they had brought before the country. He thought the action he had taken during the session was a guarantee that no such desire actuated him in the course he thought it right to take. It was his intention, when in Committee, to move an amendment upon the Bill, which he fully believed would be a great improvement to it, and, if carried, put it before the country in such a shape as he thought it ought to assume, would make it appear to be a colonial instead of a provincial Act, and would be carrying out what he believed, and what he thought the majority of the House believed, was the intention of the Government when they first brought down their large schemes of public works. The object he had in moving the amendment was, that he wished to place the line mentioned in the third schedule, "from Wellington to Seventy-Mile Bush; thence diverging east and west to Napier and New Plymouth," in the first schedule instead: that was to say, to obtain from the Parliament this session the authority for the construction of those lines. The Colonial Treasurer, when he made his financial statement, told them that the scheme of the Government was not hastily conceived, that it was one which had been thought over for many months, and that it was first considered so far back as October last. Therefore, they had a right to think that the proposals, as brought down by the Colonial Treasurer when he made his financial statement, were really the mind of the Government after due, ample, and careful consideration. In the Immigration and Public Works Bill attached to the financial statement, they found in the schedule that it was proposed to provide for making lines from Auckland to Wanganui by making a communication from Napier to New Plymouth. He was certainly rather astonished to find that Wellington was entirely left out of the schedule, and he mentioned the matter to the honorable gentleman the next day, and in the course of a day or two the honorable member stated to the House that the omission of Wellington from the schedule was a clerical error, and was not intentionally made.

Mr. VOGEL said an explanation was made the same night, and it was sent to the press, and appeared in the papers next morning.

Mr. BUNNY said the statement of the Colonial Treasurer, he believed, was correct, and it confirmed the view he had taken, that it was a mere clerical error. Now, what was the effect of the proposals of the Treasurer as regards these large and important works? The effect was, that the Government had obtained his support, and the support of a great many Northern members,

to the whole of their financial scheme. Had the Government come down at that time with a proposal simply to make lines in the Middle Island, and to do nothing in the North Island, with the exception of some few miles from Auckland to the Waikato, they would not have met with that support from the members of the North Island, and which support had probably enabled them to bring their measures to a successful issue up to the present time. Shortly after the delivery of the financial statement, the Government came down and stated that they intended to take the schedule out of the Bill altogether, and led a large portion of the House to suppose that the Government did not intend to ask, this session, for power to construct any lines. He did not mean to say the Government stated to the House that they did not intend, this session, to obtain the authority of Parliament for the construction of lines, but he did say that the impression made upon his mind, and, he believed, upon the minds generally of honorable members, was, that it was not the intention of the Government to ask for special authority for the construction of lines during the present session. That, he believed, was the general feeling throughout the House, and, of course, himself and other honorable members were perfectly satisfied that it should be so: that the Government should proceed carefully and cautiously, and that during the recess they should make the necessary surveys, and ascertain, as far as they possibly could, what should be the main lines throughout the Colony, and that in the next session of Parliament there should be authority asked for the construction of those main lines. But when the Colonial Treasurer came down some few weeks after that without his (Mr. Bunny) and, he believed, most of the Northern members, having any knowledge beforehand, and stated that the Government intended to introduce a Bill to authorize the construction of certain lines in the Middle Island and of one line in the North Island, they were certainly taken by surprise, and they did feel that there was, to some extent, a sort of breach of faith towards them. Now, he (Mr. Bunny) would not ask the Government or the House to authorize the construction of the lines in the North Island unless he satisfied them that those lines were such as would be colonial works, and of the greatest advantage to the Colony. He need not say anything to persuade the Government of the desirability of those works, because, having considered the whole question from the month of October last up to the time when the Colonial Treasurer delivered his statement, and that honorable member having brought down a carefully considered scheme for the construction of those very lines, it was not necessary for him to say one word in order to convince them that they were desirable in a colonial sense; but he thought he would be able to show to the House that, if they were to study the thing afresh, and sit down and carefully consider what lines were desirable, they would arrive at the conclusion that, if not the first, at all events one of the first, lines to be

made would be a line connecting Wellington with Hawke's Bay, with a line diverging across to the Province of Taranaki. What he wanted to point out was, that if they were going in for colonial works, if they were going to make main lines of railway throughout New Zealand, the words Province and Provincial Governments ought to be kept out of the whole thing. The lines to which he had referred would tend very much to settle the Native difficulty and open up large tracts of most valuable country for the settlement of immigrants, and, because the Province was not in a position to guarantee the interest upon the cost, it should not be said that the Colony should not undertake them. He would like to know why they were borrowing four millions of money? What was the object of their going into the money market to raise large sums for colonial works if it were not to make those works independent of the Provinces, and of the financial position of those Provinces. If they were simply going in to borrow, to be enabled to benefit the wealthy Provinces of the Middle Island merely because they possessed large estates which were the free gift of the North Island, they were doing that which was not calculated to advance the interests of the Colony. He assured honorable members from the South that he had no desire to throw any impediment in the way of the advancement of the Middle Island in carrying out the proposed works, but, at the same time, he said they would be very short-sighted if, in pushing ahead the Middle Island, they failed to assist the North from its present difficulties, and more especially from its Native difficulties. The handing over the estate of the Colony, under the arrangement of 1856, to the Middle Island, was a short-sighted policy, and one which had not tended to the welfare of New Zealand. The great object of those lines in the North Island was, as far as possible, to settle the Native difficulty. As far as he could gather from the despatches received from the Commissioners at home, the million loan which was proposed to be guaranteed by the Imperial Parliament, was to be expended on public works in the North Island, and in carrying out measures calculated to pacify the Native tribes. He would call upon the members from the Middle Island to consider the effect which would be produced outside of New Zealand by leaving out the North Island from obtaining the authority of Parliament to construct lines of railway. The impression created at home and elsewhere would be that the Native difficulties were such that they were afraid to push the lines through the Native districts. Therefore, as a matter of sound policy, independent of the consideration as to whether the works would pay the interest on the cost, they ought to lose no time in constructing railways in the North Island, in order to convince the people outside of New Zealand as to the state of the Natives, and to induce people to come and settle in the Colony. They might depend upon it that whatever arrangement they made, whatever fascinating proposals they placed before the people

outside of New Zealand, unless they created a conviction that the Native difficulty was overcome, they would not get people to come amongst them. Nothing would tend more to satisfy the people outside of the Colony, and give greater confidence at home as to the condition of affairs in the Colony, than the knowledge of the fact that they were carrying on large public works throughout the North Island. And where would those lines take them to? They would take them through some of the most valuable tracts of land that the Colony possessed. The line from Wellington to Napier, passing through the Seventy-Mile Bush, and diverging across to Taranaki, would pass through the most fertile and valuable land in the Colony—land calculated in every respect to maintain a large amount of population. He would say, without wishing to offend the members from the Middle Island, that one acre of land in the locality to which he had referred, was worth a dozen acres in the Middle Island. A line from Wellington, Taranaki, and Hawke's Bay, would be of the greatest benefit to the inhabitants of both the latter places, on account of the insufficient harbour accommodation they possessed, and they would be placed in direct communication with one of the finest harbours in New Zealand. What he wanted was, that they should see, and, by supporting his amendment, approve, the justice of the claims which he submitted to the House. If they did, he was sure the Government would be willing to give way. They had been told that there were laid on the table of the House various plans and specifications of the lines of railways to be constructed in the Middle Island. He had no doubt that those plans were perfectly accurate; but he considered, in a country like this, where the lines to be constructed were undertaken by the Government, they did not require such perfect plans and specifications as were required by the Parliament at home, where those works were introduced by private companies, and where particulars of each line, from one end to the other, were required to be given. That had been the case, especially in the old days in England, when a powerful body, both in the House of Lords and House of Commons, were strongly opposed to railways, and companies were obliged to be most particular in their surveys. They did not require anything of that kind in New Zealand. If having upon the table plans and specifications was sufficient to justify and authorize the construction of lines of railway in the Middle Island, it was no reason why the House should refuse to authorize the construction of the lines he required because he was unable at that time to do so. A great deal of money, he thought, would be thrown away in preparing those expensive plans. All they required was a flying survey, to obtain information as to the country to be gone through, and the cost of the railway. If the House were prepared to give their sanction to what he asked, he would be quite prepared, in order that they could not say he wanted them to throw away money upon a railway about which they knew nothing, to submit to the limit as to cost suggested by the Govern-

ment, namely, the line from Wellington to Hawke's Bay to be at the rate of £4,500 per mile, and the line diverging across to Taranaki, £3,000 per mile. If the House gave their sanction to the construction of those lines, he was quite prepared to accept them on the terms proposed. The Colonial Treasurer wished them to allow the matter to stand over until the next session of Parliament. He would regret that the House should accede to the request. He had, for many years past, taken the greatest interest in the railways of New Zealand; he had seen the great desirability of such works; he had seen that they would tend to the advancement and prosperity of the Colony; that it would bring about the civilization and the pacification of the Natives, and assist in restoring peace within their borders. He had had the honor of being the first to suggest the propriety of borrowing large sums of money for the purpose of extending railway undertakings in the North and Middle Islands. He should like, amongst his last acts in that Parliament—the last, perhaps, in which he might take part, and it might be the last time his voice would be heard within those walls—and it would be a satisfaction to him, during the remainder of his days—that he should fix the seal of authority of the present Parliament upon the construction of lines in the North Island. It would be the means of conferring the greatest possible benefit upon the country, setting at rest their Native difficulties, developing their large and daily increasing resources, and restoring peace and harmony amongst themselves. He would ask the House to give their sanction to the work, and not leave it over to another Parliament to complete the work which they had begun. The Colonial Treasurer had said that the Government were anxious to leave their mark upon the country. It was only natural that other honorable members should desire to do so likewise. They could not but feel desirous of doing that which would leave its mark upon the future prosperity of New Zealand, and not leave it those who came after them—to men who had not, as they had, borne the burden and heat of the day. He did not question the likelihood of some of those lines in the Middle Island paying. He would ask the House to look upon the question as a colonial matter, and to give their sanction to the construction of railways in the north, south, east, and west. He would ask them not to say to the Provinces, "Because you are poor you shall remain in your poverty," and pour riches into the lap of those who are rich. If those lines were for the benefit of the country he would ask them not to put them off until next session. He would ask for authority for their construction at the time. He felt warmly on the matter, because it was of the greatest moment to New Zealand that those lines of railway should be carried out. He was assured that all the Government required was authority from the House to carry them out, and that the scheme would be made colonial instead of provincial. By that means they would secure the confidence of the people of England and of the Australian colonies;

it would set at rest their Native difficulties, and bring capital and restore prosperity to the country.

Mr. O'RORKE wished to put a question to the Colonial Treasurer. He observed that, in the scheme of the railway from Auckland to the Waikato, there was no mention of the branch line to Onehunga, which was about two miles in length, and formed a branch of the Auckland and Drury line. The land had been bought, the line fenced and formed, and the rails partly laid, but it had been neglected, from want of funds, for the last four or five years. He thought it was an omission, and that power ought to be taken to construct that part of the line, which would be one of the most paying, in the first instance. He wished to give the opinion of an engineer, who was considered a high authority, and who had been appointed by the Government to inspect and report upon it as to the line. Mr. Weaver reported in the year 1864 as follows:—

"The construction and completion of a line to Onehunga (with the funds now available), connecting, as it would, the waters of the two harbours, is a work which, in my opinion, deserves very serious consideration. In the first place, the traffic between the two ports is very considerable, and as they would always be the termini of the railway, the whole of the traffic would, in all probability, come in such a line, which, in practice, is not found to be the case on lines recently made in the Australian Colonies, which commence at the capital or sea port, and extend only a short distance into the interior, where goods and passengers have again to be transferred to other vehicles and ordinary roads, as would be the case if a line were opened from Auckland to Drury only. Again, on constructing the line from Auckland Harbour to Onehunga, means would be afforded of bringing in the necessary materials for the construction of the harbour works, and a very large saving, amounting certainly to several thousand pounds, would be effected."

He might also mention that, in connection with that branch line, there was a ballast line 200 yards in length, to a mountain—Mount Smart—where scoria can be obtained to an almost illimitable extent. The completion of the line would cost but comparatively little, and would at once be able to pay the expenditure incurred.

Mr. MERVYN wished to call the attention of the Colonial Treasurer to what he considered a strange omission in the schedules to the Bill, namely, the railway between Lawrence and Tokomairiro, in the Province of Otago. In the original scheme, as brought down by the Colonial Treasurer, in the schedule to the Public Works and Immigration Bill he found indicated that it was the intention of the Government to construct a line of railway from Dunedin to Molyneux, with branch to Tuapeka, Clyde, Cromwell, Arrow, and Queenstown, but he found, in the present Bill, that there was no reference to connecting the places he had mentioned with Tokomairiro. It would seem to him that, in the interim, pressure had been brought to bear upon

the Government, and that they had given way to that pressure. In the Bill before them there were certain lines proposed which were not originally intended. He found that, in the schedule to the Bill, reference had been made to the construction of a line from Invercargill to the Maitara, and from Moeraki to the Waitaki, which were not in the original Bill; while, at the same time, a very important railway, which would open up the internal portions of Otago, was entirely omitted. He thought that the House should reconsider the decision arrived at by the Provincial Council previously, namely, that, instead of a line between Dunedin and Molyneux, they should construct it to Tuapeka. As far as the Molyneux district was concerned, they had ample facilities of communication with the capital of the Province by water, whereas, in the Tuapeka district, there was no communication except by land. If the object of the Government was to open up the country, they should endeavour to construct their railways so as to at once penetrate into the heart of the country, and not open up lines of railways side by side with water communication. He was afraid it was, perhaps, too late to reconsider the matter, but he would ask the Colonial Treasurer to do what he had given the House reason to believe he would do, namely, to include in the schedule the line of railway from Tokomairiro to Lawrence and the Dunstan.

Mr. KELLY quite concurred in what had fallen from the honorable member for Wairarapa. He did not mean to act in a spirit of hostility to the Government. Having supported the Government during two sessions, it was not likely that, at the end of an expiring Parliament, he should take upon himself to oppose the Government in a measure to which he had given his cordial support in the early part of the session; but, in justice to his constituents, he could not give a silent vote on the question. He had supported the Government in this measure, believing it to be a colonial and not a provincial scheme, and after the assurance of the Colonial Treasurer, he was induced to believe that it was intended still by the Government that it should be a colonial measure. If that were the case, and that the measure was to be administered in a colonial point of view, it must be taken for granted that the proposal of the honorable member for Wairarapa, to include in the first schedule of the Bill the railway to which he had alluded, would be accepted, as that line of railway would open up a large quantity of the waste lands of the Crown, and enable the Government to place at the disposal of intending settlers land upon which they could settle down and beneficially occupy. He thought that would be really carrying out the intention of the Government in making the measure a colonial one. The charging of the cost of those public works to the provincial revenue rather confirmed the idea that the Government had diverted from the colonial to the provincial view of the case, and the effect of it would, in his opinion, be to make those Provinces that were rich, richer, and those Provinces that were poor, poorer; because, no matter how wealthy a

Province might be in waste lands, unless they had the revenue to pay the interest on the cost of the construction of the works, under the present proposal those Provinces would not be able to undertake those works, no matter how beneficial they would ultimately be to the Colony. He looked upon that as the very weakest point of the measure. It would only be for a few years provincially charged, because it must ultimately come to be colonially charged; and the sooner it was made a colonial charge the better it would be for the whole Colony. If no steps were taken by the Government to open up the rich lands of the North Island, where were the immigrants to be settled? They could not be settled on lands already occupied, and unless they opened up some land, and offered facilities to those persons who were to be introduced from Europe to settle upon it, it would be hopeless to expect that they could retain them any length of time in the Colony. The object of the Government, as he understood it, was not merely to get men to construct lines of railway, but to endeavour to settle them ultimately on the waste lands of the Crown; and if that could not be effected, he did not see any possible way of meeting the large annual liabilities they would incur. He therefore thought the Government would act wisely in accepting the proposal of the honorable member for Wairarapa. It was part of the scheme, as first brought down, to construct the line of railway from New Plymouth to Wanganui. No expenditure of money could be more judiciously laid out than in opening up the country on the West Coast of the North Island. He could not speak from any knowledge of the Wairarapa district, but he could speak from personal knowledge of the West Coast, and he could say that no part of the Colony was more capable of affording beneficial settlement to a large population than the West Coast of the North Island, if made accessible by a cheap line of railway. He did not believe that the Government intended to overlook that district; he believed their intention was ultimately to make some proposal with the view of opening it up. He could not see why it should not be placed in the first schedule of the Bill, after the Government having proposed it to the House in the first instance. He believed that persons would be found willing to contract for the construction of the line through that country, with the information they at present had of the district. In Committee he would support the proposition of the honorable member for Wairarapa, that part of the third schedule should be included in the first schedule of the Bill.

Mr. HAUGHTON had listened with a great deal of pleasure to the speech of the honorable member for Wairarapa, as every member in the House must have done, whether he entirely agreed with him or not. He was sorry the honorable member should have thought it necessary to raise the question of the North Island and the Middle Island. They had often heard that question raised in the House, and he did not think it had led to any satisfactory

results or to pleasing debates. When the honorable member contrasted the amount proposed to be expended, under the Bill, in the South Island during the present year, and the amount to be spent in the North, it appeared to escape his memory, and the memory of those honorable members who applauded him, that they had that night passed an appropriation of one million, the whole of which, with the exception of £50,000, would be expended in the North. Honorable members from the North must recollect the enormous sums of money which had come out of the pockets of the people of the South, to be spent on Native and defence purposes in the North. The honorable member who had just sat down had spoken very positively as to the duty of the Government to place a particular railway in the first schedule of the Bill. He questioned much whether the honorable member for New Plymouth or the honorable member for Wairarapa had taken the trouble to read any more of the Bill than the schedule itself. If they would look at the clause to which the schedule referred, they would see that it would be utterly impossible for the Government, with any common sense at all, to place that particular railroad in the first schedule. The Government could not propose to sanction the immediate construction of a line extending over a large number of miles, in a rugged country, without having any idea of the line the railway would take, the expenditure per mile, the engineering difficulties, and other matters which had to be considered before the contracts were let. The Government could not, before the next meeting of the Assembly, be in a position to state the expenditure, or the manner of construction of the lines of railway on the West Coast. They all knew the portion of the line between Wellington and the Hutt, but what would that line cost? How was it to be made? Was it to be made in the sea, or through the hills; and how much was it going to cost? The Government had exercised a wise discretion in placing these lines of railway in the third schedule. They must all agree that there was no more desirable line to be constructed than that referred to by the honorable member for Wairarapa and the honorable member for New Plymouth. It would open up an agricultural country, and have the greatest possible beneficial effect on their relation with the Native race and the settlement of the North Island; but that was no reason why they should call for contracts for construction before obtaining specific information. He should like to see the lines mentioned in the third schedule commenced, but they could not do it at once; they must have a little common sense in the matter, and look to what could be done. The lines of railway which it was proposed to proceed with were ready, so that contracts might be called for at any time, and they were properly put in the first schedule. He might say, in conclusion, that the Colonial Treasurer seemed to have forgotten the line from Winton to Kingston, and hoped he would have the surveys made during the recess.

Mr. RICHMOND.—I am not about to say anything in opposition to the schedules, for I think there is a great deal of justice in the remark of the honorable member for Hampden, that there is a great deal of information respecting the lines included in them which it is open to honorable gentlemen to discuss if they like to go into it. Of course the Government will not seek to hurry this Bill through Committee to-night, until we have had an opportunity of looking through the large mass of information which is lying on the table, and which it would be mere idleness to have brought down if it were not intended that we should take advantage of it. The anxiety which I have felt throughout with respect to these proposals has arisen, in the main, not from the conviction that such proposals could not be carried out sooner or later—not, perhaps, in a payable way, but in a way that would be indirectly advantageous to the Colony—but because the extreme precipitancy with which we are about to enter upon these works gives us very little ground to hope that due economy will be exercised in carrying out the proposals as a colonial scheme. Nevertheless, in looking through the schedules, I must confess that most of the lines projected are lines which may reasonably be expected to pay at least a fair contribution towards interest on the money expended on them. That is the ground on which the Government may claim to be supported in respect of the particular railways mentioned in the schedule, to the exclusion of lines respecting which there is less information. On that ground I am bound to support the schedule. There is in the hands of the Government a large sum that has been voted for North Island roads, and which may be made the means of doing a great deal towards carrying out the preliminary works of the railroad. If the Colonial Treasurer will believe me, I can assure him that I have a sincere desire that the money should be spent to the best advantage, to the credit of the Government, and with profit to the country. That large amount which is in the hands of the Government, if carefully administered, will do a great deal of the preliminary work of the North Island railroads. A railroad is not essentially different from a road. A good road is the groundwork on which a railroad might be laid at once. If the Government will reserve the bulk of the money they have voted for the roads of the North Island, and will take care that it shall be spent in that way, when the House meets again next session honorable members representing the North Island will not have ground for complaining that there has been undue delay in the matter. There is another reason which weighs with me in not desiring to precipitate matters in the North Island, either in the construction of railways or introducing a large amount of immigration, and which has induced me to abandon a motion which I had placed on the paper, on going into Committee of Supply, as to the advisability of colonizing immediately the confiscated lands on the West Coast. There still remains—notwithstanding all that has been said to the contrary by the Colonial Treasurer

and his warmest supporter, the honorable member for Christchurch—there still remains, and must remain in the minds of honorable members, a doubt as to whether the credit of the Colony is sufficient to bear the weight of the undertakings we are about to initiate, and whether, after the first money has been raised under these proposals, we may not find ourselves stranded and unable to raise, from time to time and on reasonable terms, the whole of the money required to carry on the works. Should that be the case we may find ourselves in this predicament: that the large provision made for the permanent defence of the North Island would not be forthcoming. If that should happen, I, for one, should regret having had a hand in urging on, or raising my voice in favour of, action which would have the effect of precipitating the Colony into much confusion; for whatever we may call our colonization, whether we call it military or agricultural, so long as we push our settlers to the front, into what may be called a menaced territory, unless we cover their front by a defence force we shall be only repeating the disasters which attended our previous attempts to effect the military settlement of the country. We cannot hold the plough in one hand and the rifle in the other. The honorable member for Coleridge expresses his dissent. The honorable member may have had experience in the far East, where a different state of things prevails; but I belong to a race who, when they work, work in earnest, and, when they fight, fight in earnest, and I say that there is a radical incompatibility between fighting and ploughing. For that reason I have forborne to move that resolution of mine, which, if I were but certain the funds which we have granted for defence could be raised, I should have no hesitation in pressing upon the notice of the Government and the country, for it is difficult to express too high an opinion of the carrying power of these West Coast lands. I feel assured that they would support a very large population if we could but guarantee peace, and a railway could be carried through those lands for the purposes of colonization at a very small expense. The idea of having a railway in that part of the country was by no means a novel one: it has been long in contemplation among private settlers, who, in consequence of the difficulty of obtaining gravel and ballast for roads, have seriously thought of laying down iron roads for common local traffic. There is no essential difference between a railroad and a common road, the one being only a more perfect development of the other. I hope I shall be able to impress upon the Colonial Treasurer the importance of this point, and that, notwithstanding the warmth that may sometimes arise in debate upon some of these points, he will believe me to be earnest in behalf of his plans, when I express a hope that he will economize the expenditure of these large funds, and see that they are not squandered in patchwork roads in one place, barely worthy of the name of roads, and in another highly finished, which cost a very large sum of money; and that he will see, and that

the whole Government will see, the necessity of having a well-defined plan upon which to base their road operations. The House has declined to ask for any defined plan of the roads which it is proposed to make, and has imposed a large trust upon the honorable gentleman. I think, therefore, that we may fairly ask that their trust should be carried out with forethought. I, for one, believe in the ancient maxim that "a penny saved is a penny gained," and that, in administering these comparatively moderate sums of money, we may make all the difference between absolute waste on the one hand and the rapid settlement of the country on the other. I could not find it in my conscience to oppose the schedule in this Bill as it stands, but there are one or two amendments which occur to me which I hope to propose in Committee; but if the House should determine to carry this Bill through, I could not say that the Government would be justified in adding materially to the schedule as it stands.

Mr. STAFFORD.—I shall not, at this hour of the night, detain the House by speaking on the subject at any length at this stage of the Bill. So many allusions have been made in reference to the construction of the railways in the discussions which have taken place on the whole scheme of the Government, that I do not think honorable members' minds are likely to be changed on the subject now; but I take this opportunity of expressing publicly my sense of the caution which the Colonial Treasurer has shown in reference to this portion of the scheme. The honorable gentleman came down originally with a large and dazzling scheme, which has continued to dazzle the eyes of the Colony ever since it was propounded; but now, in the schedule of the lines that are to be immediately constructed, he has shown great caution in refusing to include in that schedule railways to be constructed through a country which has not yet been surveyed for railways. I agree with the honorable member for Wairarapa, with the honorable member for New Plymouth, and with the honorable member for Grey and Bell, who has just sat down, in the opinions they have expressed, that in no other part of the country would the benefit of a railway be more generally felt than in the country lying between the port of Wellington and the Province of Taranaki. I am not prepared to say that Napier would not be benefited by an extension of the railway in that direction; nor am I prepared to say that the whole of the branch lines projected may not be advantageously constructed after we have a trunk line running through the North Island generally. But I think the honorable gentleman deserves great credit for having resisted the pressure brought to bear upon him, in refusing to construct a railway through country where, as the honorable member for Hampden has so well pointed out, it is difficult to say whether the railway should pass on the sea or on land. I assume that it can hardly be taken along the present beach road to the Hutt. When the Hutt is reached, the serious question arises as to the direction in which the

line is to be taken through the Wairarapa. Two proposals have been made as to the route which should be followed, one up the Hutt Valley and over the Rimutaka range, the other by the Wai-nui-o-mata and the coast. I am not prepared to say which would be the best; I merely instance it to show that it would be an act of madness, tending to damn the whole scheme, if authority for the construction of either line were taken until there has been time afforded to make preliminary, flying surveys, as well as calculations of the relative cost. Rivers and mountain ranges have to be crossed, and rocks of various character have to be blasted, and to expect that any contractor would undertake to construct those lines without considerable delay in examining the country, would be to stamp on the whole scheme a want of caution, a rashness and precipitancy, which would ultimately prove to be fatal. I desire to publicly thank the Colonial Treasurer for the stand he has made against the pressure which has been brought to bear upon him, in refusing to include that line, although I think that it is one of the greatest importance to the Colony, and one in respect to which I hope there will be no delay in obtaining the necessary information. I should like to ask the honorable gentleman upon what basis he has arrived at the different apportionment of cost of the various lines, because it appears to me to be curious that a smaller expenditure is to be authorized for lines which I know must entail a large cost, than for others which are of a simpler character. I take, as an instance, the line between the Selwyn and the Rakaia. There is not in all New Zealand, and perhaps not in the whole world, a piece of country over which a railway could be so cheaply constructed. Not only is there not a single ravine or watercourse, but, with the exception of about half a mile of a drained flax swamp, it is sound and perfectly level ground, and along the whole line there is the requisite ballasting for a railway. A line of that nature ought, therefore, to be the very cheapest in New Zealand. I find, however, that the estimate for the eleven miles is £48,000, or £4,400 a mile. The line between Picton and Blenheim, and that from Nelson to Foxhill, are for the most part level, but there are hills which will cost a large sum to surmount, besides a good deal of swamp to be formed upon, in addition to which there are two rivers to be crossed in the one line and three in the other—one being the Wairau, which will require a very expensive bridge—and yet I observe that only £3,000 a mile is to be allotted for these lines, which, I will undertake to say would be stated by engineers to cost at least double that between the Selwyn and the Rakaia. What is the reason for this great difference of cost? Is it that on the one there is to be a 3 feet 6 inch gauge, and on the other a 5 feet 3 inch gauge? It looks as if the limitation of £3,000 a mile will insure that these railways will not be constructed, while the amount proposed for the Selwyn and Rakaia line will be ample. I would also call the attention of the honorable member to the fact that the line from

the Selwyn to the Rakaia runs over a reserve, and that, therefore, there will be no necessity for the purchase of land; whereas, between Picton and Blenheim, and between Nelson and Foxhill, a considerable sum will have to be paid for the purchase of land, because the cross-roads can only be taken advantage of for some portion of the way, in consequence of their short rectangular turns, and from the impossibility of interfering with the ordinary traffic. All these circumstances require some explanation in respect to the great difference of cost. The line from Addington Station to Rangiora runs over land for a portion of which a considerable sum will have to be paid, and also over swamps which will require formation, besides which there is the bridge over the Waimakariri, and I am not prepared to say that the sum estimated for that line is at all excessive, nor for the line between Timaru and Temuka, because it goes over land which is partially swampy and billy; but I say that either the sum put down for the Selwyn and Rakaia line is excessive, or that for the Picton and Blenheim and the Nelson and Foxhill lines is miserably insufficient.

Mr. CURTIS would explain how it was that £3,000 a mile was calculated for the Nelson and Foxhill line. Mr. Fitzgibbon made a survey of a portion of the line a few years ago, and estimated that it would cost £3,000 a mile, but that sum did not include rolling stock, which would have to be met from other sources. He thought that the amount should be increased from £3,000 to £4,000, and it was his intention to move an amendment to that effect when the Bill was in Committee.

Mr. BAIGENT thought that the honorable member for Nelson had made a great mistake in respect to the survey of Mr. Fitzgibbon, as it only reached to the Wairau, and not to Foxhill, and the extension would involve the erection of three bridges.

Mr. LUDLAM said that the Colonial Treasurer had expressed a hope that the Bill would pass unanimously. He was sorry to say that he could not vote for it, because he thought that the whole action proposed by the Government was premature. The honorable member for Timaru had just stated that he was very glad the Colonial Treasurer had resisted the great pressure which had been brought to bear against him for the construction of certain lines. He must deny that there had been any great pressure on the part of members from a certain portion of the North Island in favour of any particular lines. On the contrary, the gentlemen forming a deputation had done all in their power to induce the Government to stay its hand, and refuse to construct any railways until the next session. The new clauses which were brought down by the Government in the Public Works Bill led him to believe that they did not intend to take any action, but to ask for power to cause the necessary surveys to be made, so that they might come down next year with a general scheme of railways throughout the country, which might be accepted or rejected by the House. He would not have given his voice in favour of the

Government scheme, although he was bound to admit that his voting against it would have had very little effect, if he had thought that the Government would at once rush into the construction of railways. Plans of certain railways were laid on the table, and honorable members who came from the parts of the country in which those railways were to be formed knew all about them, but the House, as a whole, was quite ignorant upon the subject. He thought that the prices estimated for the railways were perfectly conjectural, and he did not believe that any data could be produced which would show that anything like fair sums had been set down. In spite of what the Colonial Treasurer had said on the previous evening, he believed that this proposal was simply the result of provincial pressure, and instead of the House being asked to agree to a colonial scheme of works, it was merely asked to assent to the construction of lines in respect to which the greatest pressure had been brought to bear. The opinions expressed by a considerable number of the North Island members was, simply, that failing their influencing the Government not to commence any railways until after the next session, they should get recognized the line from Wellington to Napier, with a diverging line to Taranaki, and that the Government should cause surveys to be made, and take steps to acquire the necessary lands. They had a fair right to expect that the Government, when dealing with any other part of the country, should recognize what he believed before many years must be carried out.

Mr. VOGEL.—They have done so.

Mr. LUDLAM.—The honorable member had done very little indeed in that direction. Supposing this grand scheme should fail in the money market at home, what would be their position in the next session of Parliament? They would find, perhaps, that the Colonial Treasurer would not be able to raise the loans in the English money market, and that he would say to the House, when it was asked to agree to the construction of the proposed railway, that the works could not be undertaken because the Government had failed to raise the money, and that the railways already consented to by the House would absorb all the means available. That was a fair way to look at it. He did not mean to say it would be the case, but he thought it very likely the Colonial Treasurer would find that the English people would not believe so fully in the schemes as he did himself. The honorable member said that the railways now proposed to be constructed would go through populous districts. Now, he admitted that it would be a good thing if they could obtain railways in populous or any other districts, but he could not understand why the Government, with such a grand scheme, should neglect to make a railway through a new country where they proposed to locate the population they would introduce, and thus prevent the success of their scheme. He would certainly give his voice against the Bill, because he considered the Government should go more cautiously to work, and should have time to consider the whole scheme, and ascertain whether or

not they were able to raise the loan, when they could come down next session with a general scheme, instead of undertaking one bit by bit. If the Bill was carried, he should feel bound to support the amendments of the honorable member for Wairarapa, in Committee. It was said that it was impossible to estimate the cost of a railway in different parts of the line in question, but it was no more difficult than it was in any other part of New Zealand. Were the Government in a position to say they knew how much the line from Auckland to the Waikato would cost? He did not think they were. It would be much better for the Government to wait until next session, and, during the recess, obtain surveys, with the view of recommending to the Parliament the best lines of arterial railways through both Islands.

Mr. W. H. HARRISON would move, as an amendment, that the Bill be read a second time that day six months. He did so for reasons entirely outside the merits of the Bill before the House. He told the House frankly he did it simply out of an intention to obstruct the Government in every possible way he could with regard to every measure and every portion of a measure which they brought before the House during the present session. He was not aware that he should be in order in stating his reasons, but he would state them. A month or two previously he presented a very large petition, probably the most numerous signed that had ever been presented to the House, from the inhabitants of a very large and important portion of the Colony, who had for several years been agitating for the removal of certain grievances. The Government had admitted the necessity for applying a remedy for those grievances, and took the matter out of the hands of those who would otherwise have carried it through, and brought in a Bill. Since that time they had kept the Bill upon the paper until that evening, when he was informed by the Colonial Treasurer that it was not the intention of the Government to go on with the Bill that session. So strong was his feeling at the absolute injustice done by the Government in the matter, that it was his intention to oppose, in every possible way, the passage of every Bill which the Government would bring before the House this session.

Mr. VOGEL thought that the honorable member should be rebuked for getting up and declaring that he would be obstructive because some measure which he had advocated had not been passed. If such a course were to be allowed, they would degenerate into a free fight before long. He trusted that the Speaker would call the honorable member to order: the character of the House demanded it.

The SPEAKER said that the honorable member did not appear to be guilty of any breach of order. He must say that the course the honorable member was taking was very peculiar and unusual, but it was quite competent for him to act in that manner if he thought proper, although he would, in all probability, incur the disapprobation of the House. It was not for the

Speaker to call him to order so long as he did not violate the Standing Orders.

Mr. HALL stated, from his knowledge of the facts of the case, that, although the honorable member was adopting an extreme course, he had received extreme provocation.

Mr. KYNERNESLEY would support the amendment. He saw, by clause 13, that it was proposed to construct a railway from Nelson to Cobden. One of the principal reasons given for constructing that railway was, that it would be a great convenience for the miners residing in that district. He thought it would be inconsistent to have any consideration for the miners after the way they had been treated during the session. He would be bound to support the honorable member for Westland Boroughs in the extreme course he was going to take, for he considered the action of the Government as an entire breach of faith, not only to the honorable member, but also to the inhabitants of the Grey district.

Mr. BARFF said it appeared to him that the mover and seconder of the amendment were acting in a very childish manner.

The SPEAKER informed the honorable member that he was not in order in making use of such language.

Mr. BARFF said that if he knew how to put the idea in different language so as to mean the same thing, he would do so. It was then past midnight, and he did not wish to detain the House by prolonging the debate in discussing the Westland Boundaries Bill and the Bill before the House; but he desired to congratulate the Government upon having expressed an intention of withdrawing a Bill which was certainly most offensive, in many respects, to a large portion of the population on the West Coast. The withdrawal of such a Bill would, to his mind, be a step in the right direction.

Mr. VOGEL.—I confess that I have not derived much consolation from the debate which has just taken place; for it has not impressed me with the idea that some honorable members who have spoken, regard this measure—or the measures forming parts of the Government policy, which have been passed—from a public-spirited point of view. Certainly, some who have spoken have treated the question as from a colonial point of view; while others have unblushingly declared that they oppose the Bill because they are not quite sure whether a railway is to pass their own doors, or because they think they have not been rightly served as regards some other of our measures, which they have supported with particular objects. A great deal of what has been said to-night convinces me that in coming down with proposals for a large colonial system of public works, the Government have been exceedingly courageous, and that unless they are very firm indeed in carrying out their measures, and should be fortunate enough to have to meet hereafter a House, a large section of the members of which will be capable of looking at public questions without thought of their own immediate neighbourhoods, it may be found that these measures will not be capable of receiving that effect

which they ought to have given to them. What is the case as to the honorable member for the Wairarapa? I must say, there is no hypocrisy about him. He has made his speech because we will not undertake that, during the next recess, engagements shall be entered into for constructing a railway which shall pass through the Wairarapa. He told us the other day that he regarded "log-rolling" as the basis of constitutional government; and apparently he thinks it the basis also of the steps to be taken to get at once the particular railway he wants. Worse still is the case of the honorable member for the Hutt (Mr. Ludlam). The honorable member for the Wairarapa is going to support the Bill; but the honorable member for the Hutt is not. The honorable member for New Plymouth followed in the same strain of opposition; and all this because we will not consent to include in the first schedule of the Bill, as to be commenced during the recess, a line from Wellington to the Seventy-Mile Bush, with two lines thence, one going east to Napier and the other going west to New Plymouth. If the sentiments expressed by those three honorable members find a general echo in the House, it is hopeless to expect that a system of colonizing works can be carried out in the North Island; because it will be clear that no Government will ever be able to give enough to satisfy the—greediness, shall I call it, or the impatience, of honorable members. Take the honorable member for New Plymouth. Here, on almost the last day of the session, he finds that the results of the session are—that Taranaki will receive out of the consolidated revenue £6,600 more than it received last year, or 150 per cent. increase; that roads are to be constructed, opening up the Island as a whole; that a landed estate is to be purchased for the Island, and therefore for Taranaki amongst the other Provinces, to aid towards railway construction; that an appropriation for defence purposes, extending over a term of years, is to be made. These things are, probably, beyond the wildest hopes of what might be possible, which the honorable member entertained when he arrived in Wellington at the beginning of the session; but because some railways are to be at once commenced in the Middle Island—because £200,000 for such works is to be expended in Canterbury, and about the same amount in Otago—the honorable member refuses to be satisfied unless engagements are at once made to spend £1,400,000—for that, I suppose, would be the cost, at the rate of £4,000 a mile—on a line from Wellington to the Seventy-Mile Bush, with lines diverging thence to Napier and to New Plymouth. The honorable member for the Hutt tells us that he does not feel at all sure that the money we want can be raised in the English market; and yet he will not be satisfied unless the House affirms entering at once into engagements to the amount of nearly a million and a half more than we propose. There has been exhibited to-night a rampant spirit of scrambling, which is very far from creditable to those who have exhibited it. The honorable member for the Hutt rails against provincialism:

his views are so essentially colonial, forsooth. In fact, provincialism is too large and wide for him. Supposing that Canterbury and Otago do become committed to an expenditure for railways, necessitating an annual payment of £20,000 or £30,000, those Provinces can pay the money. But if engagements to the amount of a million and a half are entered into, for railways in this Province and the adjoining Provinces, the cost will fall upon the Colony. Suppose that the railways in Otago and Canterbury could prove failures, how much would these Provinces call upon this Province to pay, consequently? But take the other side, and see what Otago and Canterbury might say, if the contingency should arise, of these measures breaking down. We are authorizing the expenditure of £200,000 for the purchase of a landed estate in this North Island—£400,000 upon roads—not far short of a million for defence purposes. While doing all this for the North Island, we say it is desirable that some railways should be at once authorized in the Middle Island; and is it a result of public spirit, that some honorable members should declare for a scramble, on the principle, "You shall not have railways, unless we get some at the same time"? I much regret that such opinions should have been expressed to-night. We know that at the beginning of the last session, there was a strong feeling in parts, at least, of the Middle Island, which had found utterance in the form, "We will not, under existing political arrangements, consent to the spending of another sixpence in colonizing the North Island." Yet now we see that the Middle Island has consented to our colonizing proposals for both Islands; and it is exceedingly ungrateful and ungracious that that consent should be met in a spirit which amounts to, "We will take all you give; but however much you give we will ask for more. We will grudge, and we will refuse if we can, any expenditure for railways in the Middle Island, unless you consent to incur at once a much larger liability for lines in this Island." I believe thoroughly that the railways which we now propose to authorize, it will be for the best interests of the Colony to construct—that to do so will be in the spirit of the policy which has been affirmed this session—but that it will certainly not accord with a spirit of demanding railway lines from house to house of those who have, or think they have, political influence to control the construction of railways. The honorable member for Timaru says very truly that great pressure has been brought to bear on the Government on this subject; and I am glad that he recognizes the necessity of the Government taking a firm stand in carrying out measures such as ours. It is no good attempting to deceive honorable members; and I say that whether the invitations are preferred in the insinuating manner in which the honorable member for Hampden has suggested that the line, Winton to Kingston, should be inserted in the first schedule—whether claims are made as they have been with respect to lines in this Province, or whether they are

urged outspokenly as has been done by the advocates of the line, Tokonairiro to Lawrence—the Government intend to make a stand upon the Bill as it is, and not to consent to ask authority for the immediate commencement of any other lines than those which I have already specified. If a majority think that it is not desirable to proceed with the construction of any railways during the recess, of course the Bill can be thrown out; but the Government are not disposed to yield so as to increase the number of lines to be at once authorized. The honorable member for Timaru asked why the cost of the line from Selwyn to the Rakaia was put down at £4,000 a mile, while that from Nelson to Cobden stood at £3,000 only. In the former case, the line is to be constructed on the principle of direct payments, and the amount stated is an estimate furnished by the Superintendent of Canterbury, who received it from his provincial engineer. If the line can be more cheaply constructed, we shall be glad to know it. Then, the gauge is to be 5 feet 3 inches, which greatly increases the cost, comparatively; and it may be a question for the House, in some future session, especially if Canterbury should be asking a large amount of consideration, whether that gauge should be continued. At present, the liability which it is asked shall be undertaken for Canterbury is small, considering its resources, and the really not large amount which will be needed in addition to the Province's share of the Middle Island railway fund. As to the £3,000 a mile set down for the portion of the Nelson line from Nelson to Fox-hill, it is to be clearly understood in each case that the House intimates the cost of the railway which it desires should be constructed. Where the country is not very difficult, a light narrow-gauge line may be obtained for £2,500 or upwards; and a line on which a single train a day, perhaps, will be sufficient, except during the wool season, need not be expensively constructed. The portion of the Nelson line of which I am speaking, is to be constructed by guarantee; and if the amount on which the guarantee is given is not sufficient properly to complete the works, the contractor will have to find more money. The question is, whether the House is willing to give a guarantee upon more than £3,000 a mile: that a railway can be constructed for that amount there is no manner of doubt. To return for a moment to the question of the lines, Wellington to the Seventy-Mile Bush, and thence to Napier and New Plymouth, I say that I believe there are few lines in the country that will offer to the House greater inducements to construct, as means of opening up the country; but I do not believe that it will be desirable to construct those lines out of borrowed money, or even altogether by a guarantee. Considering the extent to which land payments must be made for those lines, it will be difficult, I believe, to include them in any schedule, under such circumstances as to place the Government in a position of making an advantageous bargain; but I hope the Government will be able to bring down proposals

next session, such as they can recommend the House to accept. It has not been a pleasant thing for me to have to make some of the remarks I have made to-night. It would have been much more pleasant for me not to have noticed much that has been said, and simply to have congratulated honorable members upon the fact of their being about to pass the Bill. But I have been forced to think to-night that there may be something worse than a provincialist or a centralist party in the House, and that is, a party representing such infinitesimal divisions and narrow principles, that it would be almost hopeless to expect to carry on the public business at all, if such a party were to obtain any dominance. The colonizing measures of the session are upon their trial; and they might be liable to much misconception, if some opinions which have been expressed to-night had been allowed to pass without comment. I suppose that at this late hour, honorable members will not be pleased to do more to-night than read the Bill a second time; but I hope the second reading will be affirmed by a majority such as will show that there is no opposition to the Bill on any broad public ground, and that local opposition is supported by very few members indeed.

Question put, "That the word 'now' stand part of the question," upon which a division was called for.

Mr. W. H. HARRISON said he had paired off against the Government with the honorable member for Dunedin City (Mr. Reynolds), who was for the Government, and before he could leave the House the doors had been locked. He wished to have the ruling of the Speaker as to what he should do under the circumstances.

The SPEAKER said that, as the honorable member was in the House after the doors had been locked, he must record his vote in the division.

Mr. W. H. HARRISON said that, under the circumstances, he would vote on the side of the Government.

The division was taken, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	4
Majority for	...	...	...	...	31

AYES.

Mr. Baigent,	Mr. McIndoe,
Mr. Barff,	Mr. McLean,
Mr. Bradshaw,	Mr. Moorhouse,
Mr. Bunny,	Mr. O'Rorke,
Mr. Carrington,	Mr. Parker,
Mr. Clark,	Mr. Rolleston,
Mr. Creighton,	Mr. Russell,
Mr. Curtis,	Mr. Stafford,
Mr. Dignan,	Mr. Studholme,
Mr. Driver,	Mr. Tancred,
Mr. Eyes,	Mr. Taylor,
Mr. Fox,	Mr. Vogel,
Mr. Hall,	Mr. Wells,
Mr. H. S. Harrison,	Mr. Williamson.
Mr. W. H. Harrison,	Mr. W. Wood.

Captain Kenny,
Mr. Macandrew,
Mr. Main,

Tellers.
Mr. Haughton,
Mr. Kelly.

NOES.

Mr. Ludlam,
Mr. Richmond.

Tellers.
Mr. Brown,
Mr. Kynnersley.

PAIRS.

For,
Mr. Rich,
Mr. Birch,
Mr. Gillies,
Mr. O'Neill,

Against.
Mr. Edwards,
Mr. Mervyn,
Mr. Munro,
Mr. Swan.

The Bill was read a second time, and ordered to be committed next sitting day.

The House adjourned at twenty minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 7th September, 1870.

Privilege—Printing of Bills—Reports—Messages from the House of Representatives—Government Business—Robert Johnson Land Grant Bill—Town of Gisborne Land Sales Validation Bill—Public Revenues Bill—Railway Gauge Bill—Third Readings—Westland Waste Lands Bill—Traquair and Stuart Hundreds Bill—Provincial Sheep Ordinances Validation Bill—Diseased Cattle Bill—Stamp Duties Bill—Immigration and Public Works Bill—Railways Bill—Meredith and others Pension Bill—Walsh and others Pension Bill—Bills Committed.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVILEGE.

The Hon. the SPEAKER.—I have to state, for the information of the Council, that understanding that a breach of privilege was under the consideration of a Committee of another Chamber, in connection with a Bill in the possession of the Council, and that it was not improbable that some member or officer of this Council might be called upon to attend that Committee to give evidence, I considered it my duty, as conservator of the privileges of this Council, to instruct all its officers to refrain from obeying the instructions of the Committee unless conveyed through the Council itself, or through me, its Speaker. I have learnt since then that the Clerk of the Committee of Privileges of the House of Representatives came for the Clerk of this House, who at that time—being the usual hour for luncheon—was absent. The assistant clerk stated this fact, and that he would communicate to the Clerk, on his return, that he was required to give evidence before the Committee. The assistant clerk was then requested to attend the Committee, which he did, and stated that the officers had received instructions to refrain from attending unless by my orders. I have to state that it is of some importance that we should adhere as rigidly as possible to those laws which we have laid down for our guidance, and I think it is for the benefit of the community generally, and the Parliament

especially, that we should not deviate from them unless under very urgent circumstances. I hope I have the approval of the Council in the course I have taken.

The Hon. Mr. GISBORNE.—Sir, the course you have pursued is not only calculated to preserve the privileges of the Council, but is in exact consonance with the rules of the Imperial Parliament, as laid down in *May*, relative to this point. With regard to the summoning of the members of the House of Lords by the other House it is thus laid down:—

“If the attendance of a peer should be desired to give evidence before the House or any Committee of the House of Commons, or any Election Committee, the House sends a message to the Lords to request that their lordships will give leave to the peer in question to attend, in order to his being examined before the House or a Committee, as the case may be, and stating the matters in relation to which his attendance is required. If the peer should be in his place when this message is received, and he consents, leave is immediately given to him to attend, if he think fit.”

The same form is observed by the House of Lords when they desire the attendance of a member of the House of Commons. Then comes the rule with respect to the attendance of officers of either House, and on this subject *May* says:—

“The same ceremony is maintained between the two Houses in requesting the attendance of officers connected with their respective establishments; but when leave is given them to attend, the words ‘if they think fit,’ which are used in the case of members, are omitted in the answer.”

That clearly lays down the law on the subject, which has been correctly laid down by the Speaker.

PRINTING OF BILLS.

The Hon. Mr. SEWELL asked leave to move, without notice, That a Select Committee be appointed to examine and report as to the position with regard to the printing of Bills, and amendments of Bills, in course of their passage through the Council, and to suggest any alterations therein; with power to call for persons and papers; to report to-morrow. Such Committee to consist of the Hon. the Speaker, the Hon. Major Richmond, C.B., the Hon. Colonel Kenny, the Hon. Colonel Russell, the Hon. Mr. Waterhouse, and the Mover. He asked leave to make this motion without giving the usual notice on account of the short period yet to elapse before the prorogation of Parliament, and in consequence of circumstances which had recently occurred, with regard to which it was desirable that the Council should have the fullest information, with a view to preventing irregularities with regard to the printing of Bills and amendments of Bills during their passage through the House.

Motion agreed to.

REPORTS.

The Hon. Major RICHMOND, C.B., brought up the report of the Standing Orders Committee on Message No. 52 received from the House of Representatives.

The Hon. Mr. LEE brought up the report of the Select Committee on the Kaiapoi Native Industrial School Grant Bill.

The Hon. Mr. SEWELL brought up the report of the Select Committee on the Mohaka and Wai-kare Districts Bill, and also the report of the Select Committee on the Hawke's Bay Crown Lands Sale Bill.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

The Immigration and Public Works Loan Bill, the Treasury Bills Currency Extension Bill, the Defence Loan Bill, and the Provincial Ordinances Validation Bill, which were read a first time, and the second readings fixed for next sitting day.

GOVERNMENT BUSINESS.

On the motion of the Hon. Mr. GISBORNE, it was resolved, That the Standing Orders relative to passing of Bills be suspended until the end of the session to allow Government Bills, transmitted from the House of Representatives to the Legislative Council, to pass through all their stages on the same day.

ROBERT JOHNSON LAND GRANT BILL.

On the motion of the Hon. Colonel RUSSELL, it was ordered, That the Johnson Land Bill be committed this day.

The Bill was considered in Committee, reported without amendment, read a third time, and passed.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

The Hon. Mr. GISBORNE, in moving the third reading of this Bill, remarked that his honorable friend Mr. Stokes had suggested to him the propriety of inserting a clause providing that the proceeds should be appropriated to immigration and public works only. He had consulted with his colleagues, and, under the circumstances, they did not think such a clause could be introduced into the Bill. The land was bought by the Government some time ago. There was no doubt that land, the Native title to which had been extinguished, should be subjected to the waste lands laws, and the proceeds appropriated by the Provincial Legislature. That had been the practice in all other Provinces, but, as there was no restrictive law in the case of this land, the Government did not think it would be in consonance with the arrangement which they had made with the Superintendent on the subject to insert a clause for the purpose stated.

The Bill was read a third time, and passed.

SUMMARY PROSECUTIONS BILL.

On the motion of the Hon. Mr. SEWELL, this Bill was read a third time, and passed.

PUBLIC REVENUES BILL.

The Hon. Mr. GISBORNE, in moving the

second reading of this Bill, said its object was to make certain alterations in connection with the public accounts. It had received the sanction of the Public Accounts Committee, which had been sitting during the session in the other House. The chief object of the Bill was to provide a reserve fund, out of which liabilities due on the 30th June, the end of the financial year, would be paid; the mode of paying them being to take the amounts which were remaining from the appropriation in reference to those services, and place them in the reserve fund. The fund could then be applied to defraying those liabilities. That course had been partly in practice in consequence of the legislation of last session, but it was necessary that this Bill should be passed to enable the practice to be perfected. A great inconvenience sometimes occurred in connection with public services which had not been paid on the 30th June. Unless this system were adopted, payment would be postponed until the Appropriation Act was passed. There was another provision in the Bill which would enable the special fund to be gradually wound up. That fund had been the cause of great complications, and the Government hoped to be able, by degrees, to obviate the necessity for it. The other alterations which had been made were merely of a technical character.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

RAILWAY GAUGE BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, remarked that the report of the Committee which had been sitting on the subject in the other House had been already placed in the hands of honorable members. That report fully explained the importance of such a measure being passed. Whatever gauge was preferred, it was desirable that it should be prescribed by the Assembly, in order that, with regard to any public railway which they might construct, that gauge should be adopted, because honorable members were, no doubt, aware that great inconvenience, resulting, amongst other things, from increased expenditure, might be experienced in adopting different gauges. The report, however, so fully explained the reasons why the Committee had recommended the 3 feet 6 inch gauge, that he would not trouble the Council with a recapitulation of them. An honorable member had suggested that the limit mentioned should not be exceeded, but the question as to the exact gauge which should be adopted was one which could be better discussed in Committee. If it was determined to fix the gauge he had mentioned, it was clear that it should not be altered, but should be accepted as a uniform gauge in connection with all public railways, with the exception of those excepted in clause 3.

The Hon. Colonel RUSSELL said it appeared to him to be a subject for regret that such an important measure should be allowed to pass through the Legislature so hastily as it was likely to do, for the effects of the measure would be felt long after honorable members had ceased to

exist. The report to which the Hon. Mr. Gisborne had alluded certainly appeared to be a very able one, but he could not say whether it was complete or not, as it consisted of but one sheet without signature. However, it contained very valuable information, and it was such information as should induce them to pause, and not pass this Bill too hastily through the Council. It would appear, from the report, that the width of gauge adopted in England and other countries varied from 7 feet to 1 foot 11½ inches, the dominant gauge being 4 feet 8½ inches. The gauge adopted in Canterbury was 5 feet 3 inches, and a comparison which had been instituted by the Committee showed that, in regard to the rails alone, there was a difference as between 60lbs. for the 5 feet 3 inch gauge plate and 40lbs. for that of the 4 feet 8½ inch, being a difference, in regard to that one item alone, of one-third. He need scarcely say that where so great a difference of expenditure in connection with the weight of plates existed, it would be even greater in regard to the construction of permanent way, viaducts, bridges, and so forth. If they even took the comparative expenditure of certain railways alluded to in the report, it appeared that there would be a difference in the cost of the construction of permanent way of £500 per mile between the gauges of 4 feet eight inches and 3 feet 6 inches. Therefore, in the use of the 5 feet 3 inch gauge, which had been adopted in Canterbury, they would be entering upon a very much greater expenditure than £500 per mile in that matter alone. Clause 3 of the Bill stated that this Act should not apply to any existing railways, and that railways might be made and extended upon the Canterbury Plain upon the gauge of 5 feet 3 inches. Then he had come to this conclusion: that it was contemplated to construct forty miles of additional railway with a 5 feet 3 inch gauge, and that an additional cost of from £90,000 to £100,000 would be incurred for those forty miles of railway. It might, however, be urged that about thirty miles had already been constructed on this wide gauge, and that it would be necessary to take steps to make the two gauges coincide. He had put himself to some trouble to calculate the matter, and found that it was stated in the report that the rolling stock of a certain railway amounted to £750 per mile. In the case of the Canterbury railway it would be only necessary to adapt the present rolling stock to the new gauge, and that would not involve so great an expenditure as the obtaining of new rolling stock, probably £260 per mile. He believed he was within bounds when he stated that the whole expense which would be involved in adapting the present rolling stock to the new gauge and relaying one line of rail would not amount to £1,000 per mile; there would, therefore, be a saving of £60,000 in that respect. He could not refrain from expressing regret, as he had already done, that, before entering upon these vast and expensive works, there was no authority to preside over them. The works should not be proceeded with until a Minister of Public Works had been appointed, and until he

could be assisted by a board of works. He would also suggest to the Government that, before the works were proceeded with, they should spend £1,000 or £2,000 in dispatching commissioners to the Australian colonies and to America, who should forward a report by every mail leaving California, South Australia, Melbourne, or other places, and by that means the Government would, month by month, obtain valuable information. He could not too strongly deprecate the course of entering upon these costly works in absolute ignorance of what they were doing. He did not intend to oppose the second reading of the Bill, but when the Council was in Committee he should endeavour to make an alteration in clause 3, which would have the effect of reducing the present gauge of the Canterbury railway to that which it was intended to adopt throughout New Zealand.

The Hon. Mr. J. P. TAYLOR heartily concurred in what had fallen from his honorable friend Colonel Russell. He did not pretend to be an engineer, but he thought that any one who read the report must come to the conclusion that although it was an excellent one, as founded upon the information at the disposal of the Committee, there had been a great want of accumulated information on the subject, and a sufficient number of professional engineers had not been examined. It must be borne in mind that the question of a broad or narrow gauge, and the adaptation of one or other to a new country, has not yet been settled in the mother country. Every man who exercised his common sense must be aware that the narrow gauge was infinitely preferable in mountainous countries, but it was not at all certain that it was the best in all cases. They were not yet in a position to decide upon the question at all, much less to decide that this particular gauge should be the one to be adopted in New Zealand for the future. That was not the only point in the scheme which had been laid before the Legislature in which there was strong evidence to show that the Government had not given sufficient consideration to the subject. He thought that the whole question of the gauge to be adopted in the carrying out of the proposed railway scheme should be postponed until they had before them reports from commissioners appointed to inquire into the subject. In the hope that the Bill might be seriously amended in Committee, he should not oppose the second reading.

The Hon. Mr. WATERHOUSE thought that the evidence furnished by the Railway Gauge Committee was sufficient to warrant their arriving at the conclusion that a gauge of 3 feet 6 inches would suffice for all the requirements of the country for many years to come; but he thought there was reason to believe that a still narrower gauge would be quite equal to the requirements of the country, and would be preferable upon economical grounds. The Committee appeared to be very doubtful, themselves, as to whether a very narrow gauge might not be adopted with advantage, and he thought it was very desirable that the Government should have an opportunity of prosecuting the inquiry further, and of adopting a still narrower gauge if they

saw fit. If a 2 feet 6 inch gauge would answer as well as one of 3 feet 6 inches, the saving would be from £1,000 to £1,500 a mile. He thought that a gauge of 2 feet 6 inches would be ample for the requirements of the Colony, as would be seen from an article in the *Engineer*, which had been shown to him by his honorable friend Captain Baillie, in which the writer stated that 2 feet 6 inches was equal to 75 per cent. of the traffic upon a gauge of 4 feet 8½ inches, which was suitable for the traffic between any two of the great cities in England, and which was adopted in the Liverpool and London line. If a gauge of 2 feet 6 inches was equal to carrying 75 per cent. of that traffic, it must be quite evident that it was more than equal to the requirements of the Colony. It was, therefore, a matter of the greatest importance that the Government should thoroughly investigate the matter. The suggestion which had been made by his honorable friend Colonel Russell was a most valuable one, and he hoped that the Government would act upon its spirit, and that the question should be referred to a Commission before any final decision was arrived at. He hoped that clause 2 would be altered in Committee in the manner indicated by the Hon. the Colonial Secretary, leaving the Government to decide upon any uniform gauge for the Colony, providing that it should not exceed 3 feet 6 inches. The result would be that they would have an opportunity of availing themselves of a narrower gauge if it were found desirable.

The Hon. Mr. STOKES said that the honorable gentleman had to some extent anticipated his remarks. This Bill, although simple in its compass, involved very important results. Its chief object was to fix the gauge for the railways to be made under the Immigration and Public Works Bill. There was no doubt that, although the gauge was fixed in the Bill at 3 feet 6 inches, further inquiry would show that a still smaller gauge would be suited to all the requirements of the Colony. Some very interesting articles had lately appeared in the *Times*, headed "Railways in the Future," of which he would give a brief epitome, as far as they applied to the subject before them. It appeared that Mr. Fairlie had been making experiments with respect to locomotives, and the result had been to show the advantage of his new description of engines over the ordinary locomotives, and that they could be adapted to any railways. This subject was very prominently brought before the Emperor of Russia, and the engineer of the line now constructing in the Caucasus reported to him that, by adopting the narrow gauge under the Fairlie system he would be able to make five miles where now he could only make three. A Commission was appointed in Russia, who came over purposely to test the engines and to inquire into the system in England. The Duke of Sutherland was present at the experiments, and took the greatest interest in them. The experiments were made on the Festiniog railway, the gauge of which was 1 foot 11½ inches. This line was made at a cost of about £3,000 a mile, and extended from the slate quarries at Festiniog to the shipping port

of Portmadoc, in North Wales. The line would like a snake round the hills, and was at first worked by horses, because the gradients were so steep, and the curves so frequent and sharp that it was thought impossible to use locomotives upon it. The "Fairlie" engine was tried upon this railway, and it was found that they could travel at a speed of thirty miles an hour, drawing a very heavy load, and, in the words of the writer, "winding like a snake around the different sinuosities of the spurs of the hills." It was clear that two advantages would be obtained: first, that the expensive cuttings which occurred in ordinary railroads would be lessened; and, secondly, that railways would be made much cheaper than under the ordinary system, on account of being able to ascend steep gradients and turn round sharp curves. Owing to the manner in which the wheels of the ordinary locomotive were coupled, it was impossible to take it round sharp curves, but Mr. Fairlie had shown, by a line laid down in a small cabbage garden of about half an acre, that his locomotive would travel round curves of a small radius with perfect success. Mr. Fairlie also declared that if his engines were placed on the ordinary railroads, they would reduce the cost of carriage of passengers from 3s. to 1s. 6d. a head. The *Times* calculated that a reduction of one penny per head for travelling upon the railways in England would amount to £618,000 a year. The reason why passenger traffic was so expensive was that the amount of dead weight carried was about two tons to every passenger. Mr. Fairlie proposed, by his system, to greatly reduce the cost of carriage, and thus lessen the charges for the transport of passengers and goods. The ordinary locomotive was constructed with coupled wheels, so that in turning a curve there was a great pressure or grinding on the inside rail, but in the "Fairlie" engine there were four wheels at the front and four at the back, under a kind of platform, and the body, instead of being fixed at the sides, was fixed on a pin in the centre, so that the oscillation and grinding were prevented, and the cost of wear and tear very much diminished. As an example of the advantage to be derived from this system, he might say that in the line from Wellington through the Wairarapa no tunnelling would be required, and as the gradient might be as high as 1 in 40—a gradient of 1 in 100 being considered very steep in ordinary cases—the cost would be so much reduced that a railway over such country could be constructed for about £3,000 a mile; besides that, it must not be forgotten that the cost of wear and tear would be very much lessened. The ordinary speed on the Continental railways, except that of the express trains, was from fifteen to eighteen miles an hour. The system adopted in Belgium was particularly remarkable, and might be well applied to our circumstances. In England greater attention was paid to promoting the transport of first class passengers than to that of second and third class passengers, although the returns showed that the third class passengers were by far the largest contributors to the revenues of a railway. The fare in Belgium was adjusted with the greatest nicety

so as to reduce the cost to a minimum, and the charge for baggage was at so much per pound, so that every facility for travelling was given to the working man. If such a system were introduced here, the railways would be most beneficial to the country, and would be productive of the greatest amount of passenger traffic. He hoped that the prophecy of the first projector of the system of railway travelling which was made in regard to England, might also become accomplished in this country, namely, that "although I may not live to see the day, I believe railways will come to supersede all other methods of conveyance in this country, when mail coaches will go by railway, and the railroads will become the great high road of the King and his subjects, and that the time is coming when it will be cheaper for a working man to travel by railway than to walk on foot." He should be exceedingly glad when that day dawned upon this country, because it would be an evidence of the great progress which had been made in its improvement and prosperity.

The Hon. Mr. SEYMOUR could not approve of the principle of the Bill, and for more than one reason. He did not intend to enter upon the subject of railway gauges, which had been so fully discussed by his honorable friend Mr. Stokes, but he should raise the broad question, why should they be called upon to fix an arbitrary limit to that as to which the best engineers of the day were undecided? It was still an open question whether, with all the gauges which had been tried, the happy medium had yet been discovered. It was not probable that any one particular gauge would be suitable to the requirements of different countries. What was wanted in New Zealand, where there was not a large quantity of traffic nor a great number of passengers, was an extension of railway communication at a cheap rate, and probably a very narrow gauge would answer every purpose. He had a serious objection to the Bill. The second clause provided that the Colony should be pledged to a gauge of 3 feet 6 inches in all cases, but clause 3 immediately reversed that, and provided that on the Canterbury Plain the 5 feet 3 inch gauge might be maintained and extended. No mention whatever was made of other railways which were laid down in the southern part of the Middle Island, which were not on the 3 feet 6 inch gauge, nor the 5 feet 3 inch gauge of Canterbury, but on the 4 feet 8½ inch gauge. Whilst, therefore, this Bill endeavoured to pledge the Colony to a 3 feet 6 inch gauge, which did not now exist, there were two other systems now in force in one Island. For that reason he could not possibly support the second reading of the Bill.

The Hon. Mr. HOLMES coincided with what had fallen from his honorable friend, that no railways should be authorized to be constructed at a wider gauge than 3 feet 6 inches. They knew that two miles on the 3 feet 6 inch gauge could be constructed for the same sum that one mile would cost upon the 5 feet 3 inch gauge. The tendency in the mother country at present was to reduce the width of the gauge. The Great Western Railway was being reduced from 6 feet

to 4 feet 8½ inches, and all the wide gauges in England were being assimilated to that of the Great Northern and the Liverpool and London; therefore, while they gave the Government liberty to adopt any gauge for the main line up to 3 feet 6 inches, they should guard against permitting the money to be squandered by expensive wide gauge lines. He should vote for limiting the gauge to 3 feet 6 inches. At present there were about forty miles finished in Southland on the 4 feet 8½ inch gauge, but that gauge was beyond the requirements of the place. In looking forward to making the main line from Dunedin to the Bluff on the narrow gauge, it was proposed to add another rail, so that there might be a continuous line from Dunedin to the Bluff Harbour. That was sufficient to show that it was only necessary in Canterbury to lay down an extra rail in order to have an additional line.

The Hon. Mr. McLEAN also objected to the Bill as it stood, and could not understand upon what principle it had been framed. He thought that the amendments of the Hon. the Colonial Secretary would meet every objection, and that they might agree to the second reading if it was the general opinion that 3 feet 6 inches should be the maximum gauge which would be required. It would then be possible, hereafter, to reduce that to 2 feet, if it turned out to be desirable to do so. The phrase "on the Canterbury Plain," was very indefinite, and comprised, in fact, the whole Province. Canterbury might hereafter desire to push her railways through the mountains to the West Coast, but that would be very inconvenient if, in the meantime, a different gauge were established on the East Coast. The best way would be to stop short at once, while only a small fraction of the railway was constructed.

The Hon. Mr. LEE said that his honorable friend Colonel Russell had referred to the report of the Railway Gauge Committee, as one upon which every reliance was to be placed, and had given it as his opinion that action should be taken upon that report. He would call the attention of the Council to the fact that there was not a single professional man upon that Committee; that there was no evidence taken before it; and that they merely formed their opinion and drew up a report in accordance with the views put forth in certain works which they had perused, without taking the trouble to look to other writers who had expressed a contrary opinion. He thought that the question of the railway gauge could not be considered as definitely settled by the report of such a Committee. With the permission of the Council he would read an extract from an article which appeared in the *Otago Witness*, and which dealt very sensibly with the matter:—

"How far their report will influence the action of the Government, when the railways come to be constructed, remains to be seen. There is little or nothing on the face of it to show that their argument on the subject is entitled to much weight. The question at issue is a technical one, and, therefore, cannot be satisfactorily settled without reference to technical opinions. But the Committee

have dispensed with the advice of professional men in the matter. If they thought that their own opinions were as valuable as those of railway engineers, the delusion is much to be regretted. The question is one of too much importance to be trifled with. The country would welcome an authoritative expression of opinion with respect to it; but a mere essay by political amateurs will go for nothing. The Committee preface their modest labours by saying that, 'having had access to voluminous printed reports, discussions, and evidence, on the questions submitted to them, they have not deemed it advisable, before reporting, to summon as witnesses any of the few professional engineers accessible in the country.' Whether they propose to summon their witnesses after reporting they have omitted to say. A report, without evidence, carries about as much weight as a judgment *in banco* without argument from counsel. A judge who should inform the suitors before him that, 'having had access to voluminous printed reports,' he did not deem it advisable to hear what they had to say for themselves, would not be held in much estimation by the public. The Committee, in fact, tell us that they have 'read up' the subject which they voluntarily undertook to dispose of, and have satisfied themselves that they have thoroughly mastered it. They feel so satisfied on that point that they have no difficulty in dispensing with professional witnesses. They accordingly proceed to pronounce judgment; and, after a preliminary dissertation on gauges in general, followed by extracts from various authorities, they decide in favour of 3 feet 6 inches as the parliamentary gauge. We do not for a moment presume to question the correctness of this decision; but it is a singular fact that 'the few professional engineers accessible in the country,' when examined on the same subject before a Select Committee three years ago, expressed very different opinions. They all concurred in recommending 4 feet 8½ inches as the parliamentary gauge for trunk lines. Mr. Wrigg, C.E., said:—'In my opinion, the gauge to be adopted on trunk lines should be 4 feet 8½ inches, because, by adopting that gauge, you would hereafter obtain a higher rate of speed when the country required it.' Mr. Weaver, C.E., said:—'I would not recommend a 3 feet 6 inch gauge for a main trunk railway through the country. . . . I consider a great advantage, in point of economy, could be attained by adopting the 4 feet 8½ inch gauge, as railway plant in Britain is almost always made for that gauge.' Mr. Balfour, C.E., said:—'If the 4 feet 8½ inch gauge can be constructed at a moderate cost over the cost of a narrower gauge, I should recommend its adoption.' Mr. Marchant C.E., said:—'I would recommend the adoption of the 4 feet 8½ inch gauge, which works satisfactorily at home for any speed not exceeding 40 miles an hour, and may, therefore, be expected to carry any traffic satisfactorily here.' This was the result of the professional evidence. The Committee may have had their reasons for setting it aside, but they have not stated them. They have not even referred to it. The question at issue was first introduced to

the notice of the Legislature by Colonel Whitmore, in 1867. He brought two motions forward in the Legislative Council. The first was, 'That, for the better protection of the interests and safety of the public, it is desirable that all proposals for the construction of public railways should be submitted, in the first instance, for the consideration and sanction of the Legislature.' The second prayed for the appointment of a Commission 'to inquire into the subject of railway communication throughout the Colony, and more especially to determine which are the most advantageous lines for trunk railways, with a view to the reservation from sale of a portion of the unsold Crown lands adjacent to such lines; and also to inquire whether provision ought not to be made for securing one uniform gauge, and what that gauge should be.' The result of these motions was the appointment of a Select Committee, which reported that the evidence taken by them was not conclusive enough to warrant them in recommending any particular gauge, and, therefore, that it was not desirable to insist upon uniformity in that respect."

He thought that it was altogether premature to decide that a 3 feet 6 inch gauge was the one which was best adapted for any lines which might be laid down in this country. There would be no economy whatever in regard to the Canterbury railways if the lines in that Province were to be replaced by a narrow gauge; on the contrary, a heavy expenditure would be entailed, and, indeed, no saving would be effected by constructing the new lines there upon that gauge, for he would point out to the Council that all the rails and ironwork necessary for the continuation of the Northern line, as far as was proposed to extend it at present, had been ordered from England, and were on the way out, and if the narrow gauge system were made compulsory there, those rails would be comparatively valueless, although they must be paid for. He did not agree with his honorable friend Colonel Russell as to the difference of cost of construction. There was a good deal to be said on that subject, and he hoped to be able to put a different complexion upon that question on another opportunity. There were engines and trucks in Canterbury sufficient for the whole of the proposed lines there, which would be perfectly useless if the narrow gauge were adopted.

The Hon. the SPEAKER said that he had, very reluctantly, to interfere, but honorable members were considering matters of detail.

The Hon. Mr. LEE conceived that it was scarcely possible to avoid going into detail, because the whole principle of the Bill was a matter of detail.

The Hon. Mr. CAMPBELL concurred in the remarks of his honorable friend Mr. Seymour, that the breadth of the lines should not be more than 3 feet 6 inches. The gauge which obtained in Canterbury was a very old-fashioned one. The narrow gauge was coming into vogue in all countries where railways were being constructed. The opinions quoted by the Hon. Mr. Lee were given some years ago, and before the narrow gauge

was known. Last year, when he was in England, he travelled on the Festiniog line, at a speed of twenty-five miles an hour. He had a conversation with Mr. Spooner, the engineer of that line, who assured him that in countries where the traffic was light a 2 feet 6 inch gauge was ample. He believed that the line from Nelson to Cobden would be purely for mineral traffic, and he thought it was desirable that its gauge should not be more than 2 feet 6 inches. In respect to Canterbury, there would be nothing to prevent the rails being laid down to the narrow gauge. The loss on the rolling stock would not be very heavy, because it could be used upon the South line, and new rolling stock could be imported from England for the Northern line. He would suggest to the Government that, in importing railway plant, steel rails should be obtained, as the difference in cost was not now very great. He would support an amendment to the effect that the gauge should be not more than 3 feet 6 inches.

The Hon. Colonel KENNY wished to know why it was considered imperative to pass this Bill at once, upon the sole recommendation of a Select Committee, and would ask the honorable gentleman whether it would not be well to withdraw it. Honorable members might be very well informed, but they were not professional men. He confessed that he could not possibly give an opinion upon the subject, and he would rather walk out of the Council than vote. He was willing to give the Government full discretion in the matter, as he presumed that they would endeavour to obtain all the necessary information from the highest sources. When the Imperial Parliament took a step of that nature, they did it on the very best professional information which could be obtained.

The Hon. Captain FRASER said that, in conjunction with some other gentlemen, he was about to undertake the construction of the railway between Dunedin and Port Chalmers. He went over the line with a gentleman who had made extensive railways in Europe, Asia, and America. It was their intention to adopt a narrow gauge, but that gentleman endeavoured to dissuade him from doing so, as there would be little saving of expense, and like the Queensland line would turn out to be a mistake. He mentioned that as a fact, because facts were better than argument.

The Hon. Dr. BUCHANAN confessed that he was surprised to hear his honorable friend Colonel Kenny say that he would rather walk out of the Council Chamber than take a part in the responsibility of deciding upon so important a subject. That was a duty which none of them should shirk. The step that was about to be taken was the first in carrying out the gigantic scheme about which so much apprehension had been expressed. He had listened with great interest to the speeches of previous speakers, and, considering the diversity of opinions expressed, and that no professional advice had been obtained to guide them in coming to a decision, it appeared to him nothing more nor less than madness to adopt so crude a scheme. He should consider it to be his duty to oppose the second reading of the Bill, because he understood that the Government originally proposed to take

no step until they had obtained the services of experienced engineers from America and Europe.

The Hon. Captain BAILLIE said that the difference between the 3 feet 6 inch and the 5 feet 3 inch gauge would entail upon the Colony, in the course of ten years, something like two millions of money. He had before him the report of Mr. Spooner, upon the Festiniog railway, from which he would read the following extract:—

“His Grace the Duke of Sutherland, on behalf of himself, the Count Bobrinsky, and the gentlemen present, in a very few appropriate words, thanked Mr. Spooner for his very able and lucid paper, which he considered would be of great value in determining the most suitable gauge for railways of the future, both at home and abroad, and especially in sparsely populated countries, with limited traffic, where the usual expensive style of constructing railways was most inappropriate, and where the question to be decided was railways or no railways.”

The opinion of the Duke of Newcastle, who had invested large sums of money in the English railways, was of considerable weight. He might say that the difference in the size of the “Fairlie” and the ordinary engines, was very great, being, in the one case, about one and a half tons, as against three or four tons in the other. The small engines could be moved about with greater facility, and were capable of doing 75 per cent. of the work of some of the largest railways in England. If the 2 feet 6 inch gauge were adopted in the line from Picton to Blenheim there would be a saving of more than £800 a mile, and he was convinced that, if the gauge of that line were fixed at 3 feet 6 inches, it would not be completed for twenty years. The difference in cost would be sufficient to construct a line of a wider gauge when the traffic was large enough to warrant it. He should support the amendment that the gauge should not be greater than 3 feet 6 inches.

The Hon. Colonel WHITMORE, C.M.G., said that this subject had attracted attention for several years. In proposing, some years ago, the appointment of a Commission to inquire into the subject, he had hoped that a Bill would have been brought in to give the effect of law to their report. There was no country in which a standard gauge had been adopted except after proper inquiry, and the circumstances of New Zealand were as peculiar as those of any other country. Unfortunately, that course had not been taken, and the importance of the question was not recognized. This session they had gone mad about railways, and all the details were hurried over in a galloping manner since the first proposal of the scheme. He was not prepared to agree to a Bill which was the result of a report of a sessional Committee. The information was not before them, and all they possessed was evidence taken by a Select Committee of the other branch of the Legislature. In a case like the present, where they were called upon to decide the matter themselves, they ought to have been furnished with the fullest information, and not come to any conclusion until they had had ample time to consider the advantages and disadvantages of all the various systems,

Honorable gentlemen had told them a great many reasons why different gauges should be adopted, and he admitted that every gauge had its peculiar advantages according to the locality. Honorable gentlemen, however, spoke from their own point of view; one honorable member gave the Picton and Blenheim view, another the Canterbury Plains view, and another the Port Chalmers and Dunedin view. Now, it was exceedingly unlikely that they would be able to balance between the chance opinions of gentlemen who had given attention to the subject in their own localities, and draw such inferences as would enable them to decide exactly the size of the gauge best adapted for the whole Colony. He agreed that there were advantages to be gained by adopting a 3 feet 6 inch gauge on the score of economy, but he could also recognize that there were great advantages attaching to other gauges; for instance, he believed, and thought it was an incontestable fact, that the safety of the broader gauge was greater, even with equal speed, and with regard to the wearing out of larger lines, he believed that tear and wear was a question of speed. He believed that, at the same rate of speed, it would be found that the 4 feet 8 inch and the 5 feet 3 inch gauge would not cost more for maintenance than the 3 feet 6 inch gauge. In a country which was called the most go-ahead country in the world, and in which economy in railway matters was not a matter of choice, but of necessity—he meant in America—the 3 feet 6 inch was not the recognized gauge for places in which considerable traffic might be expected. In fact, throughout America he believed there were hardly any railways with the 3 feet 6 inch gauge. For such small railways as the Dun Mountain he believed the 2 feet 6 inch gauge would be far better than a broader gauge, and perhaps in such a peculiar country as the West Coast there might be reasons why such a railway would be a matter of necessity. But they were not to consider those things. When they were fixing a uniform gauge for the country, and were contemplating the lines which united the centres of population and conveyed the bulk of the produce of the country to the ports of export and to the markets, they should not lay down a principle based upon the fact that at the present moment large traffic could not be expected. He also objected to the principle that Picton and Blenheim, or any other out of the way locality, would not be likely to get a railway unless they could get it cheap. It would be a crime if those districts which were not at present in the most flourishing circumstances were left out of the general scheme. It was not on the ground of any political opposition, but from a sincere conviction, that he wished to lay down the principle that they should adopt in this country a general system of railways, in order that all districts, whether large or small, should have an equal proportion of advantage from the national loan. And if this question were to result in the rich localities having luxurious gauges, and the smaller districts having insignificant and cheaper ones, he would say the smaller districts had been very unfairly treated.

He did not think they would arrive at a proper conclusion by taking the opinions of Mr. Spooner, the Duke of Sutherland, or any other person who might have a particular predilection for a particular kind of railway. If they took the opinions of people who represented one sort of gauge, they ought equally to consider the opinions of people who were biased in the other direction. But he put it to the Government whether it would not be better to defer the decision on this point until more information was obtained. He was quite prepared to leave the matter with the Government, in the earnest hope that they would inform themselves thoroughly on the subject, in preference to the Council coming to a hurried decision without having any information before them.

The Hon. Mr. BONAR would support the second reading of the Bill. There could be only one opinion as to the expediency of definitely fixing upon what system all their various railways should be constructed. If the amendment which he understood would be proposed in Committee, to the effect that the gauge should not be over 3 feet 6 inches, and should be uniform, was carried, it would leave it in the hands of the Government to take such professional evidence as they might think necessary, and the Council would be merely expressing an opinion that the gauge should not exceed 3 feet 6 inches. He thought it necessary and expedient that the Council should adopt that course, because they all knew that anything over 3 feet 6 inches necessitated a much more expensive railway than the Colony could possibly afford to construct. He would support the second reading of the Bill upon the understanding that some such amendment as he had indicated was introduced in Committee.

The Hon. Mr. SEWELL said the whole question that was before them had been pointed out by the honorable member, Mr. Bonar, and all that he was going to add to the debate was in that direction. When the Bill went into Committee they would be able to discuss the question as to the size of the gauge. Now the only question of principle involved was, whether they should establish, as far as practicable, a uniform gauge throughout the country. No one could doubt that if they were about to engage upon extensive railways, it was very desirable that they should establish a uniform gauge. While on the subject he would take the opportunity of reading some statistical information about railways in Canada, which might possibly be of interest. Railways there appeared to have been constructed on an expensive scale, as regarded the gauge. They said:—

“The railway interest in Canada is quite of recent growth. The first line constructed, that from Montreal to Lachine, was opened but twenty years ago, the Grand Trunk and Great Western but ten, while the line that will connect the various provinces of the dominion with each other, and give unity to their several railway systems, is yet to be constructed. The Montreal and Lachine railway was built on the American gauge, 4 feet 8½ inches. After long discussions, there and elsewhere, the Canadian gauge was sub-

sequently fixed at 5 feet 6 inches. The Prescott and Ottawa, the Grenville and Carillon, and the St. Lawrence and Industrie railways, nevertheless, are of the narrow gauge; the first-named because it was designed to connect with the American railways at Ogdensburg without change of cars, rather than with the Canadian lines; the others because they are short roads, wanting no connections or heavy freight traffic. The Montreal and Champlain road, including the road from Lachine, now under the management of the Grand Trunk and the Great Western railway have the narrow gauge, but for its connection with the Victoria Bridge three rails were laid. All the rest are of the provincial medium gauge."

According to that, in Canada they did not appear to adhere to any exact uniform gauge. There was another fact in connection with the Canadian railways which might be a subject of reassurance when they were considering the cost which was contemplated. Bearing in mind the comparison between the exports of Canada and the exports of New Zealand—the exports of Canada were about ten millions and of New Zealand about four and a half millions—they should consider the total amount which had been expended on railways in that country. Including the capital spent on railways in that Colony was 158,000,000 dollars, upon which the gross receipts for a year were put down at 11,500,000 dollars; working expenses, 6,575,000; dividends, &c., 4,179,000 dollars. The extent of lines which had been constructed was 2,495 miles, which, at a rough calculation, cost at the rate of about £14,000 per mile.

The Hon. Mr. PATERSON had considerable difficulty in supporting the second reading of the Bill in the absence of any positive information on the subject. He quite agreed that it would be desirable to fix a uniform gauge, indeed, if our proposed railway system was to be at all complete as a whole, it would be necessary to do so, but he did not think they were at present in a position to say distinctly what that gauge ought to be. It struck him that the Bill, even with the proposed limit, was, in the present state of affairs, somewhat unnecessary. He thought it would be better simply to come to a resolution that there should be a uniform gauge, and leave it to the Government to ascertain from all sources of information what was best adapted to their condition and prospects, and also to the nature of the country over which the various lines would have to pass.

The Hon. Mr. ROBINSON was of opinion that some uniform gauge should be fixed. They would very shortly have a number of Bills down from the other House for the construction of certain railways, and if they were not in a position to fix the gauge, they should leave the matter in the hands of the Government, for it was impossible that the matter could stand over until the Council had obtained all the necessary information to enable them to arrive at a proper decision on the subject. If no uniform gauge were fixed, he did not see how they could go on with the construction of their railways. The

railway from Nelson to Foxhill was said to be no use unless the line were extended to Cobden, of which it was to form part. This line he considered as forming no part of the scheme, and could not be proceeded with until it was ascertained whether the Nelson and Cobden railway was going to be carried out, and what gauge would be adopted; but with respect to those lines coming under this scheme, the gauge ought to be at once fixed.

The Hon. Mr. GISBORNE said it was rather extraordinary that the Bill had created so much discussion, as it was not a Government measure, but had been introduced in the other House by the honorable Mr. Richmond, who was one of the chief opponents of the Immigration and Public Works Bill, and who was the leading member of the Select Committee who framed the report. The honorable gentleman had had some experience with regard to the construction of railways, and there was no doubt, although his signature was not attached to the copy of the report which he (Mr. Gisborne) held in his hand, that he had framed the report. The subject had engaged his attention for many years, and no doubt he felt that, if anything were done with regard to public railways, it was essential that some declaration should be made as to what should be the gauge of those railways, not only for the sake of economy, but for the sake of uniformity; because, if they were to have railways in different parts of the country with distinct gauges, the utmost confusion, and great extravagance and waste, would ensue, and all that in addition to the extra cost which a wide gauge always entailed. That was a reason why, before any public money was spent on any public railway—especially if it was intended that that railway should be a main line—it was essential that some uniform gauge should be determined upon. What that width would be, of course, it was very difficult to ascertain, but he believed that if they examined all the professional engineers in England and elsewhere, they would be so utterly confused in a cloud of opinions that they would not know what to do. The Committee, though they had not examined persons of engineering knowledge, had quoted evidence which was the result of experience in other countries, and had come to the conclusion that the narrow gauge was the best, and that 3 feet 6 inches should be the width of all public railways except those in Canterbury. Of course, it was for the Council to decide whether it would take that course or leave the matter for the Government to decide. Canterbury had put in a claim to be excepted from the uniform gauge system, and the Committee had made the exception. He had confidence in the Committee, and he was willing to admit that exception. Canterbury had special claims. Railways of a certain gauge had been constructed, and large sums were invested in railway stock with a view of laying down fresh lines. Of course, the lines could be constructed on the narrow gauge principle; still, the money had been paid for the stock, and there would be not much saving in adopting the narrow gauge instead of a broad one. He thought the saving in a narrow

gauge for lines on level plains was very much exaggerated. No doubt, where the line would cross gullies and in hilly country the saving would be very great, but he did not think it would be appreciable to anything like the same extent where the railway was constructed on level plains. If the Bill were carried, the railways in Canterbury would be the only exception as regarded the gauge throughout New Zealand. The Legislature should declare that a certain gauge should be adopted, and, of course, that would be the law of the land; because, if they left it to the Government merely by resolution, it was likely to be altered, for they could not prevent one Government differing from another. If the Bill were passed, no Government could spend a shilling of public money on any railway the gauge of which was different from that specified in the Bill. The Bill, as he had said before, was originated by an honorable member in the other House who was opposed to the railway policy of the Government, and he (Mr. Gisborne) had not taken it up at his request, or at the request of his colleagues, but because he believed it was a useful Bill.

The Bill was read a second time, and considered in Committee.

IN COMMITTEE.

Clause 2.—Gauge to be 3 feet 6 inches in all cases.

On the motion of the Hon. Mr. ROBINSON, the word "exactly," in the third line, was struck out.

The Hon. Mr. ROBINSON moved that the words "uniform and not more than" be inserted in lieu thereof.

The Hon. Mr. CAMPBELL moved, as an amendment, that the word "uniform" be inserted.

Question put, "That the word 'uniform' be inserted in lieu thereof," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	12

Majority for	...	...	...	...	1
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AYES.

Mr. Bonar,	Colonel Russell,
Dr. Buchanan,	Mr. H. R. Russell,
Mr. Gisborne,	Mr. Sewell,
Mr. Holmes,	Mr. Stokes,
Colonel Kenny,	Mr. Waterhouse,
Mr. Paterson,	Mr. Williamson.
Mr. Robinson,	

NOES.

Captain Baillie,	Mr. Lee,
Mr. Campbell,	Mr. McLean,
Mr. Chamberlin,	Mr. Nurse,
Captain Fraser,	Major Richardson,
Dr. Grace,	Mr. Seymour,
Mr. Johnston,	Mr. Wigley.

The amendment was consequently agreed to.

Question put, That the words "and not more than" be inserted after the word "uniform."

Agreed to.

Clause 3.—Existing lines, and those on the Canterbury Plain, excepted.

Question put, "That the clause as read stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	21

Majority against	...	...	...	...	15
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AYES.

Mr. Chamberlin,	Mr. Lee,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Wigley.

NOES.

Captain Baillie,	Major Richardson,
Mr. Bonar,	Mr. Robinson,
Dr. Buchanan,	Colonel Russell,
Mr. Campbell,	Mr. H. R. Russell,
Mr. Holmes,	Mr. Seymour,
Mr. Johnston,	Mr. Stokes,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. McLean,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore,
Mr. Paterson,	Mr. Williamson.
Mr. Pillars,	

The motion was consequently negatived.

The Hon. Captain BAILLIE moved that progress be reported, and leave obtained to sit again.

Question put, and a division called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	17

Majority against	...	...	...	...	8
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AYES.

Captain Baillie,	Colonel Kenny,
Dr. Buchanan,	Mr. Paterson,
Mr. Campbell,	Mr. J. P. Taylor,
Mr. Chamberlin,	Mr. Wigley.
Captain Fraser,	

NOES.

Mr. Bonar,	Mr. Robinson,
Mr. Gisborne,	Colonel Russell,
Mr. Holmes,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Sewell,
Mr. Lee,	Mr. Seymour,
Mr. McLean,	Mr. Stokes,
Mr. Nurse,	Mr. Waterhouse,
Mr. Pillars,	Colonel Whitmore.
Major Richardson,	

The motion was consequently negatived.

The Hon. Mr. HOLMES moved that the following words stand as clause 3 of the Bill:

"This Act shall not apply to railways already made or contracted for, nor to railways to be constructed on the West Coast of the Middle Island, under the provisions of 'The Immigration and Public Works Act, 1870,' and, notwithstanding anything herein contained, the line from Christchurch to the Rakaia may be finished at a gauge of 5 feet 3 inches."

Question put, "That the words proposed stand as clause 3 of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	9
Majority for	...	...	...	...	7

AYES.

Captain Baillie,	Mr. Pillans,
Mr. Bonar,	Major Richardson,
Mr. Campbell,	Mr. Robinson,
Mr. Holmes,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Seymour,
Mr. McLean,	Mr. J. P. Taylor,
Mr. Nurse,	Mr. Waterhouse,
Mr. Paterson,	Colonel Whitmore.

NOES.

Dr. Buchanan,	Colonel Russell,
Mr. Chamberlin,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Colonel Kenny,	Mr. Wigley.
Mr. Lee,	

The motion was consequently agreed to.

The Hon. Mr. CAMPBELL moved that the following words be added to clause 3:—"If it be hereafter found necessary, for public convenience, to alter the gauge of the railways already constructed, or already contracted for, the cost of such alterations shall be borne by the country."

Question put, "That the words proposed form part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	18
Majority against	...	...	...	...	11

AYES.

Mr. Campbell,	Major Richardson,
Mr. Holmes,	Mr. Sewell,
Mr. Lee,	Mr. J. P. Taylor.
Mr. McLean,	

NOES.

Captain Baillie,	Mr. Pillans,
Mr. Bonar,	Mr. Robinson,
Dr. Buchanan,	Colonel Russell,
Mr. Chamberlin,	Mr. H. R. Russell,
Mr. Gisborne,	Mr. Seymour,
Mr. Johnston,	Mr. Stokes,
Colonel Kenny,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore,
Mr. Paterson,	Mr. Wigley.

The motion was consequently negatived, and the Bill was reported to the House with amendments.

On the question, That the Bill be now read a third time,

The Hon. Dr. BUCHANAN said he intended to oppose the third reading of the Bill. When the Immigration and Public Works Bill was before the Council, both those who supported and those who opposed it agreed that the scheme embodied in it could be carried out with any hope of success, only if it were proceeded with after careful forethought and with due deliberation. The present Bill appeared to be the first step in carrying out this large scheme, and, without engineering skill to guide them, they were pro-

ceeding altogether in the dark. The variety of opinions which had been expressed, and the number of amendments which had been proposed in Committee, were an ill omen for the future as to the success of the plans of the Government. The Hon. Mr. Stokes had stated that the Duke of Sutherland had said that if he had had, at an earlier period, the knowledge and experience he then possessed, he might have saved £200,000 on railways. He thought that, instead of £200,000, the Colony might lose two millions by this rash experiment. He hoped that the Legislature would pause before it allowed lines to be proceeded with in this reckless manner. He must say that he shrank from the responsibility of being a party to such legislation, and should divide the Council upon the third reading of this Bill.

The Hon. Colonel RUSSELL entirely concurred in the views of his honorable friend Dr. Buchanan, as he considered that the Colony was not in a fit position to go on with such large works.

On the motion of the Hon. Mr. NURSE, the Bill was recommended for the further consideration of clauses 2 and 3.

IN COMMITTEE.

Clause 2.—Gauge to be 3 feet 6 inches in all cases.

The Hon. Mr. J. P. TAYLOR moved that the words "uniform and" be struck out.

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	8
Majority for	...	...	...	...	8

AYES.

Mr. Bonar,	Mr. Robinson,
Dr. Buchanan,	Mr. H. R. Russell,
Mr. Chamberlin,	Mr. Sewell,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. Waterhouse,
Mr. Holmes,	Colonel Whitmore,
Colonel Kenny,	Mr. Williamson.
Major Richardson,	

NOES.

Captain Baillie,	Mr. Paterson,
Mr. Johnston,	Mr. Seymour,
Mr. McLean,	Mr. J. P. Taylor,
Mr. Nurse,	Mr. Wigley.

The amendment was consequently negatived.

The Hon. Colonel WHITMORE, C.M.G., moved that clause 3 be struck out, with the view of inserting the following in lieu thereof: "This Act shall not apply to railways already existing, and, notwithstanding anything herein contained, railways may be made and extended upon the Canterbury Plain from Christchurch to the North bank of the river Rakaia, upon the gauge of 5 feet 3 inches."

Question put, "That the words proposed to be left out stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	7
Majority for	...	...	...	...	10

AYES.

Captain Baillie,	Mr. McLean,
Mr. Bonar,	Mr. Nurse,
Dr. Buchanan,	Mr. Paterson,
Mr. Chamberlin,	Major Richardson,
Mr. Gisborne,	Mr. Sewell,
Mr. Holmes,	Mr. Seymour,
Mr. Johnston,	Mr. J. P. Taylor,
Colonel Kenny,	Mr. Williamson.
Mr. Lee,	

NOES.

Captain Fraser,	Mr. Waterhouse,
Mr. Robinson,	Colonel Whitmore,
Mr. H. R. Russell,	Mr. Wigley.
Mr. Stokes,	

The amendment was consequently negatived.

The Bill was reported to the Council without amendment.

On the question, "That the Bill be read a third time," a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	13
Majority against	...	...	...	...	2

AYES.

Mr. Bonar,	Major Richmond, C.B.,
Mr. Chamberlin,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Mr. Holmes,	Mr. Waterhouse,
Mr. Johnston,	Mr. Williamson.
Mr. McLean,	

NOES.

Captain Baillie,	Mr. Robinson,
Dr. Buchanan,	Mr. H. R. Russell,
Captain Fraser,	Mr. Seymour,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. Lee,	Colonel Whitmore,
Mr. Nurse,	Mr. Wigley.
Mr. Paterson,	

The amendment was consequently negatived.

PRIVILEGE.

The SPEAKER announced that he had received the following message from the House of Representatives:—

That the House of Representatives requested the Council to give leave to the Hon. Mr. Sewell and also to the Clerk of the Council to attend and be examined before a Committee of that House, in relation to a Bill entitled the Traquair and Stuart Hundreds Bill.

The Hon. Mr. GISBORNE said that in the message which the Hon. the Speaker had just announced there was a very important principle involved. It was as to how far one House could interfere with the proceedings of another branch of the Legislature, relative to any Bill before that House. He found it laid down in *May* that a conference could not be held with reference to

any Bill which was before the House until that Bill had been decided on. In *May*, p. 416, he found the following:—

"Thus, while a Bill is pending in the other House, it is irregular to demand a conference concerning it; and, although this rule was not formerly observed with much strictness, it was distinctly declared by the House of Commons, in 1575, to be 'according to its ancient rights and privileges, that conference is to be required by that Court which, at the time of the conference demanded, shall be possessed of the Bill, and not of any other Court.' The convenience and propriety of this rule is so obvious that it has now, for a long course of years, been invariably observed with regard, not only to Bills, but also to resolutions that have been communicated."

Now, according to that, there was no doubt that the House of Representatives had no right to demand a conference with respect to any Bill which was being dealt with in the Council. But it was allowable for one House to inspect the journals of the other House by means of a Select Committee. On that point the following was laid down in *May*, page 234:—

"When the Commons desire information concerning any proceeding in the House of Lords, they appoint a Committee to search the Lords' journal. The Lords, on their side, have appointed Committees to search the Commons' votes, but their Lordships have also accepted the votes on the table of the House as sufficient evidence of proceedings of the Commons, without further search or authentication."

It seemed to him that the proper course for one branch of the Legislature to take, when it wished to know what were the proceedings of the other with respect to any Bills or resolutions that it had passed, was to appoint a Select Committee to search the journals of the other branch of the Legislature. He remembered a case in point, which arose, he thought, when the Paper Duties Bill was being considered by the British Parliament. The House of Lords passed some amendment which the House of Commons regarded as a breach of the privileges of the House of Commons. A member of the House moved for a Committee to search the journals of the House of Lords. The Committee reported what the House of Lords had done, and, thereupon, the House of Commons passed a resolution implying that the House of Lords had infringed the privileges of the House of Commons. He understood that the message which had been read by the Hon. the Speaker was that a member of the Council, or that an officer of the Council, should attend to give evidence relative to a Bill now before the Council. There was no doubt that members of the Council and officers of the Council could give evidence if the Council chose that they should do so; but, at the same time, if the evidence which was required was relative to what had been done with this Bill, the proper course to be pursued would be for the House of Representatives to appoint a Select Committee to search the journals of the Council, but if information was required relative to the Bill which was

really outside the journals of the House, then he doubted whether it would be regular if they allowed an officer of the Council to give evidence upon the subject. He did not know what was the nature of the evidence which was required. If it was desired to ascertain what was the present stage of the Bill, or to learn what the Council were doing with it, that was information which could be obtained by inspecting the journals of the Council; but if the desire was to ascertain what had been done with the Bill outside what was recorded in the journals, he thought they should be cautious in consenting to allow officers or members of the Council to give such evidence. He could imagine that irritation or misunderstanding might be created if members or officers gave evidence relative to the position of Bills not recorded in the journals of the Council. Cases might arise in which mistakes, occasioned in various ways, would occur in Bills brought up, and if the House of Representatives, having heard rumours, wished to examine officers of the Council, he thought it was doubtful if it would not be an interference with the privileges of the Council. He certainly thought the best plan would be for the Hon. the Speaker, the Chairman of Committees, and his honorable and learned friend, to search for precedents, and report to the Council next sitting day what answer they considered should be given to this message.

The Hon. Mr. SEWELL moved, That messages Nos. 56 and 57, received from the House of Representatives, be referred to a Committee to search for precedents, and to report next sitting day; such Committee to consist of the Hon. the Speaker, the Hon. Major Richmond, C.B., the Hon. Colonel Kenny, the Hon. Colonel Russell, the Hon. Mr. Waterhouse, and the Mover.

The Hon. Colonel WHITMORE, C.M.G., said that the only precedent he had been able to find pointed to this: that in no case should they allow a member of the Council to be examined by a Committee, judicially, in respect to any matter in which it was sought to throw any blame upon him, and if that was the object of this inquiry, he should resist any attempt made to examine a member unless at his own request. He found the following passage in *May's Parliamentary Proceedings* :—

"In 1805 the Commons having sent a message to the Lords, desiring the attendance of Viscount Melville, to be examined before the Committee of Naval Inquiry, the Lords acquainted them, at a conference, that the course adopted by the Lords 'has been to permit their members on their own request to defend themselves in the House of Commons on points on which the Commons have not previously passed criminalizing resolutions against them, and to give evidence before the House, or any Committee thereof, on those points only on which no matter of accusation is depending against them;' and, within these limitations, they gave leave to Lord Melville to attend, though the Commons did not think fit to examine him.

THIRD READINGS.

The Nelson College Bill, the Summary Prose-

cutions Bill, and the Wellington Waste Lands Bill, were read a third time, and passed.

WESTLAND WASTE LANDS BILL.

The Hon. Mr. BONAR, in moving the second reading of this Bill, said it had been carefully drawn, and, as amended by the Waste Lands Committee, had passed the House of Representatives without amendment. Therefore, the Council had the Bill placed before it exactly as it passed the Waste Lands Committee. The Bill was based mainly upon regulations which had been in force in the County ever since it had been a County, and the regulations were made by the Governor in Council. He would state the objects of the Bill when it was committed.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

TRAQUAIR AND STUART HUNDREDS BILL.

This Bill was considered in Committee, and reported without amendments.

On the question that the Bill be read a third time,

The Hon. Captain FRASER desired to say that the Bill had been considered to be so very iniquitous that he hoped the Council would assist him to throw it out.

Question put, "That the Bill be now read a third time," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	11
Noes	...	...	...	...	3
Majority for	...	...	...	...	8

AYES.

Mr. Bonar,	Mr. Seymour,
Mr. Gisborne,	Mr. J. P. Taylor,
Mr. Holmes,	Mr. Waterhouse,
Mr. McLean,	Colonel Whitmore,
Major Richmond, C.B.,	Mr. Williamson.
Mr. Sewell,	

NOES.

Captain Fraser,	Mr. Paterson.
Mr. Nurse,	

The Bill was then read a third time, and passed.

PROVINCIAL SHEEP ORDINANCES VALIDATION BILL.

This Bill was considered in Committee. Schedule.

The Hon. Mr. JOHNSTON moved that the following words "except so far as regards the disease called foot-rot" be inserted after the word "Ordinances," in the thirteenth line of the second clause.

Question put, "That the words proposed to be inserted be so inserted," upon which a division was called for, with the following result :—

Ayes	...	...	...	...	8
Noes	...	...	...	...	14
Majority against ...	...	...	...	...	6

AYES.

Mr. Bonar,	Mr. Seymour,
Mr. Johnston,	Mr. Waterhouse,
Mr. McLean,	Mr. Wigley,
Major Richardson,	Mr. Williamson.

NOES.

Captain Baillie,	Mr. Nurse,
Dr. Buchanan,	Mr. Paterson,
Mr. Campbell,	Mr. Robinson,
Mr. Chamberlin,	Mr. H. R. Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Stokes,
Mr. Lee,	Colonel Whitmore,

The amendment was consequently negatived.

The Bill was reported without amendment, read a third time, and passed.

DISEASED CATTLE BILL.

ADJOURNED DEBATE.

The Hon. Mr. HOLMES said that he found that the papers upon this subject which had been produced were only down to the year 1866, and that the correspondence between the Superintendents and Deputy Superintendents of Otago and Canterbury was wanting. A great deal of ill-feeling had been occasioned by the action of the Superintendent of Canterbury, and he had asked that the whole of the correspondence should be laid on the table, which had not been done.

The Hon. Mr. GISBORNE said that it would be necessary for the Government to apply to the Superintendent of Canterbury for the papers to which the honorable member referred.

The Hon. Mr. McLEAN hoped that the Bill would not be proceeded with until all the correspondence had been laid on the table of the Council. What had the Superintendent of Canterbury to fear from the production of these papers, if he had acted aright, and no claims had been made against him? If any wrong had been done, it was only right that the people who had suffered should have an opportunity of obtaining justice before a court of law.

The Hon. Mr. GISBORNE said the only correspondence which was in the possession of the Government was a formal correspondence between the Colonial Treasurer and the Superintendent relative to the publication of the regulations in the *Gazette*, and he was under the impression that it had been laid on the table. It would be impossible to lay on the table the papers which the honorable member referred to this session, as it would be necessary to send to the Superintendent for them.

The Hon. Mr. LEE said the Hon. Mr. Holmes had hardly acted fairly in the matter, because, although the Bill was introduced on the 30th August by the Hon. the Minister of Justice, and only came on for second reading on Friday last, the honorable member had allowed the interval to go by without making any motion for the production of the papers or saying anything about it. He was quite sure that there was no correspondence which could throw any light upon the subject or affect the measure before the House. The Bill was simply to remedy a technical defect which took place in a proclamation which was issued

by the General Government. The fault did not rest with the Provincial Government at all, but was an omission in the proclamation before it was transmitted from Wellington. The only point was, that the extension of the time of the proclamation was not communicated in writing. The whole question rested on that very point. There seemed to be an impression about that a great deal of injustice had been done under the proclamation. There had been no injustice done at all. Pleuropneumonia had got into the Province, and the proclamation under which action was taken in the first instance was perfectly legal. A district was proclaimed, and all cattle that were within that district were declared to be infected, and were ordered to be kept within certain boundaries. The Provincial Government expended £2,000 in eradicating the disease and fencing in the Maori Reserve on which it broke out. There were a number of diseased cattle slaughtered at the time, but that was done in a perfectly legal manner and no wrong was done. In consequence of the disease not having disappeared, it was necessary to have the proclamation renewed, and in the renewal the slight technical illegality took place which it was now proposed to remedy. The position which the Provincial Government was in at the present moment was a peculiar one. The owners of certain cattle were brought up to the Resident Magistrate's Court, and fined for not keeping their cattle within the proclaimed boundaries, and, of course, if the proclamation were not legalized, those people who had been fined might sue the Provincial Government. There were also other persons who might think fit to bring actions against the Provincial Government for illegally detaining their cattle within the boundaries. The Hon. Mr. Holmes stated that the proclamation had been carried out by the Superintendent in a harsh and arbitrary manner. Now, he distinctly denied that, and he spoke positively on the point, because at the time the action took place he was a member of the Provincial Executive, and he knew the very great care that had been taken in dealing with the matter, and the great reluctance that was felt in bringing the proclamation into effect. It was only when the absolute necessity of enforcing the regulations forced itself upon the Executive that they acted upon the proclamation. The honorable member, in discussing the question, had alluded to a transaction which took place many years ago. About four or five years ago Mr. Bluett imported a cow from England, and a great deal of correspondence took place at the time, but the present Superintendent was not in office then. He trusted that no impediment would be thrown in the way of the passing of the Bill. It would virtually not permit an atom of injustice to be inflicted upon any person in Canterbury or elsewhere.

The Hon. Mr. HOLMES desired to know whether the Government intended to proceed further without producing the correspondence. It bore upon the subject, and they could not legislate properly without it.

The Hon. Mr. SEWELL said he did not think

the correspondence would have the smallest effect upon the subject matter of the debate. If the object was to obtain information, he should be as desirous as anybody else to have it laid upon the table, but he could not help thinking that the object was to obstruct the Bill.

The Hon. Mr. HOLMES said that that was precisely what he meant to do.

The Hon. Mr. SEWELL said in that case he considered it would be idle to defer the question.

The Hon. Mr. ROBINSON said that, referring to the proclamation which was published in the *Gazette*, he might say that the Government had been placed in this position through some technicality. He maintained that from the beginning the proclamation was illegal. The case in which he was himself involved, and which was tried in Christchurch, he had wished to quash, but he was told that the law must take its course; and all he asked now was that, in respect to this matter, the law should be allowed to take its course. He considered that this Bill had been brought forward for no other purpose but to prevent those concerned seeking redress in the Supreme Court; if that were not the case, why did the honorable gentleman wish to hurry the Bill through the Council. The honorable gentleman knew that directly the matter was made known those people who were affected by it would seek redress. He was not himself personally interested, but he had been dragged into the affair, and he considered it was his duty to speak on behalf of those people who had had their cattle destroyed, and he should oppose any measure calculated to deprive them of the only way they had open to them of seeking redress by shutting the doors of the Supreme Court, independent of the duty which every honorable member owed to the country. He moved that the Bill be read that day six months.

The Hon. Mr. SEWELL said the Bill was intended to prevent litigation, the sole object of which was to molest the Government. The whole object was to relieve the country and the Government from the possible consequences of that litigation which the honorable gentleman who had just spoken desired to encourage, and the cost of which would fall upon the country itself. He would ask if it were in the interests of the Colony to encourage parties to foment litigation, for the purpose of raising questions of a kind not involving substantive justice? If substantive injustice were done, the law was open to the persons wronged. They had done justice in a similar case a few days previously. They had remedied the want of technicality in a Government proclamation. In that case they did what was right and equitable.

An Hon. MEMBER.—No.

The Hon. Mr. SEWELL said that such a statement, if true, would be a reproach to the Council. He understood, when passing that Act, that they were doing substantial justice, and were putting an end to litigation that was likely to arise from mere inattention to forms. They should put an end to offensive and groundless litigation. He asked it in the interest of the

contending Provinces, and of those gentlemen themselves; in the interest of those who appeared most anxious to prevent the passing of the measure, and in the interests of peace between the two Provinces. If the object of those who urged the impolicy of the original law was to put an end to the state of things existing, the proper course was to alter the law itself, not for those Provinces to harrass each other with litigation about points of form.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	14
					—
Majority against	...	...	...	...	7
					—

AYES.

Mr. Bonar,	Mr. Sewell,
Mr. Gisborne,	Mr. Wigley,
Mr. Lee,	Mr. Williamson.
Major Richmond, C.B.,	

NOES.

Captain Baillie,	Mr. Paterson,
Dr. Buchanan,	Mr. Robinson,
Mr. Chamberlin,	Mr. H. R. Russell,
Captain Fraser,	Mr. Seymour,
Mr. Holmes,	Mr. Stokes,
Mr. McLean,	Mr. Waterhouse,
Mr. Nurse,	Colonel Whitmore.

The amendment was consequently agreed to.

STAMP DUTIES BILL.

The Hon. Mr. GISBORNE moved the second reading of this Bill, the object of which was to modify the present law with regard to the use of adhesive stamps in mining districts, and also to admit of their use in bills of exchange, provided the acceptor wrote his name across the stamp.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS BILL.

On the motion of the Hon. Mr. GISBORNE, the amendments made in this Bill by the House of Representatives were agreed to.

RAILWAYS BILL.

This Bill was received from the House of Representatives, read a first time, and the second reading fixed for next sitting day.

MEREDITH AND OTHERS PENSION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that the pensions of the persons mentioned had all been placed on the estimates every year, with the exception of that to Mrs. Collins, which was a special case. Her husband, Captain Collins, died from illness brought about by exposure, and not actually in action, and the Government were advised that the case did not come within the meaning of the Militia Act.

The Hon. Colonel WHITMORE, C.M.G., seconded the motion, especially with regard to Mrs. Collins' case. He might say that she was the widow of a very valuable officer who had been of inestimable value to the colonial forces, who had been a most efficient quartermaster, and had, in that capacity, saved the Colony an immense amount of money. Colonel Gorton had always relied upon him with the greatest confidence, and it was impossible to replace him. He had run great risks in exposing himself day and night, and within a few weeks after the close of active operations in 1869 he died at Tauranga in consequence of the exposure which he had undergone.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

WALSH AND OTHERS PENSION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said it related to a case that had created great sympathy in the Colony, namely, that of the child of Mrs. Walsh, who was murdered at Poverty Bay. A grant of land was given by the Act of last session, but the land had not been selected within the time fixed, and the object of this Bill was to extend the time fixed for making the selection.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

BILLS COMMITTED.

The Kaiapoi Native Industrial School Grant Bill, the Mohaka and Waikare Districts Bill, and the Hawke's Bay Crown Lands Sale Bill were considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

The Council adjourned at twenty minutes to one o'clock a.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 7th September, 1870.

Public Accounts Committee—Privilege—Maori Representation—Auditor-General's Report—Marine Department—Treasury Bills Currency Extension Bill—Railways Bill—Bay of Islands Settlement Bill—Native Lands Frauds Prevention Bill—Savings Banks Bill—Messages from the Legislative Council—Summary Prosecutions Bill—Amendments by the Legislative Council—Supply.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC ACCOUNTS COMMITTEE.

Mr. HALL brought up the report of the Public Accounts Committee, relative to the claim made by the Province of Otago for a refund of £13,000 expended upon a geological survey of that Province. The report was ordered to be printed with the appendix.

PRIVILEGE.

Mr. FOX said, as Chairman of the Committee appointed to investigate the circumstances respect-

ing the printing of the Traquair and Stuart Hundreds Bill, he begged leave to ask for an extension of time to bring up their report. The Committee had met that day and examined certain witnesses, and were anxious to examine the Clerk of the Legislative Council, for which purpose a message was sent to that officer for his attendance. He was not there, but his assistant clerk informed the Committee that orders had been given by the Hon. the Speaker that no officer of that House was to attend the Committee unless by an express order from himself. He believed that, under the privileges of the House of Representatives, his (the Speaker) warrant could compel the Clerk of the Legislative Council to attend, but he did not wish to adopt that course. It was better, he thought, to follow the practice pursued by the House of Commons, where the same rule prevailed with regard to members as officers, that was to say, that he (the Speaker) should send a message to the Legislative Council, requesting that the Clerk of the House should attend the Committee on the following day, and that one of the members, the Hon. Mr. Sewell, should attend also. He therefore moved that a message be sent to the Legislative Council, requesting the attendance of the Hon. Mr. Sewell and the Clerk of the Legislative Council.

Motion agreed to.

MAORI REPRESENTATION.

Mr. RUSSELL, in asking the Minister for Native Affairs, Whether or not, in the opinion of the Attorney-General, the seats of the present members elected under "The Maori Representation Act, 1867," will be affected and become vacant by the dissolution of the present Parliament?—said he had felt it his duty, before the session closed, to ask the question, with a view to removing doubts which existed on the subject. Many believed that the members elected under "The Maori Representation Act, 1867," would vacate their places on the dissolution of the present Parliament, while others were of a contrary opinion. He had called on the Attorney-General on the previous day in reference to the subject, but he did not appear to have come to any conclusion on the question.

Mr. McLEAN said he had been in communication with the Attorney-General upon the subject. He (Mr. McLean) had been under the impression that, by the Act, the members elected under it would continue to hold their seats for five years from the date of their election. That was the intention of the framers of the Act, but the Attorney-General ruled that after the dissolution of the General Assembly the Maori members would be liable to re-election, the same as other honorable members, and therefore that the Maori members would cease to have seats in the House when the general election took place. That was the opinion given by the Attorney-General recently, after a full consideration of the Act. Of course, the same or other members could be elected under the Act to sit in the new Assembly. The fact of a general election did not preclude Maoris from re-entering the

House. They were placed in exactly the same position as other honorable members.

AUDITOR-GENERAL'S REPORT.

Mr. ROLLESTON asked the Colonial Treasurer when the Auditor-General's report would be laid upon the table of the House.

Mr. VOGEL was under the impression that it had already been laid before the House, but he would send to the printing office for it.

MARINE DEPARTMENT.

Mr. HALL asked the Colonial Treasurer when the report of the marine department would be laid upon the table.

Mr. VOGEL was not aware that there was to be any report laid before the House. In any case, he believed that in the transfer of the business of the department the matter had been overlooked. He would suggest that the honorable member should table his motion.

TREASURY BILLS CURRENCY EXTENSION BILL.

This Bill was reported without amendment, read a third time, and passed.

RAILWAYS BILL.

Mr. O'RORKE asked the Colonial Treasurer for an answer to the question he had put to him the previous evening in reference to the branch line to Onehunga.

Mr. VOGEL said that in the hurry of debate he had forgotten to reply to the honorable member's question on the previous evening. The question was whether, in connection with the railway between Auckland and the Waikato, it was proposed to construct the original branch to Onehunga. In reply, he might say that it was proposed to construct the branch.

Question put, "That the Chairman do now leave the chair, in order that the House may go into Committee on this Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	2

Majority for 32

AYES.

Mr. Baigent,	Mr. McGillivray,
Mr. Barff,	Mr. McIndoe,
Mr. Borlase,	Mr. Mervyn,
Mr. Bradshaw,	Mr. Moorhouse,
Mr. Carleton,	Mr. O'Rorke,
Mr. Clark,	Mr. Rolleston,
Mr. Collins,	Mr. Russell,
Mr. Curtis,	Mr. Stafford,
Mr. Dignan,	Mr. Tancred,
Mr. Fox,	Mr. Tareha,
Mr. Hall,	Mr. Taylor,
Mr. H. S. Harrison,	Mr. Vogel,
Mr. Haughton,	Mr. Wells,
Mr. Kelly,	Mr. Williamson.
Captain Kenny,	
Mr. Ludlam,	
Mr. Macandrew,	
Mr. Main,	

Tellers.

Mr. Bunny,
Mr. Carrington.

NOES.

Tellers.

Mr. W. H. Harrison, | Mr. Kynnersley.

The motion was consequently agreed to, and the House went into Committee on the Bill.

IN COMMITTEE.

Question put "That the preamble be postponed," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	2

Majority for 29

The preamble was consequently postponed.

Question put, "That the short title be the title of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	2

Majority for 30

The short title was consequently agreed to.

Question put, "That clause 2 stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	2

Majority for 22

The clause was consequently agreed to.

Question put, "That clause 3 stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	2

Majority for 26

The clause was consequently agreed to.

Schedule 1.—From Blenheim to Picton, commencing from and terminating at a point to be determined by the Governor in Council. Three thousand pounds sterling per mile.

Mr. EYES moved the insertion of the word "four" instead of "three."

Question put, "That the words proposed to be omitted stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	20

Majority for 3

AYES.

Mr. Baigent,	Mr. Rolleston,
Mr. Carrington,	Mr. Russell,
Mr. Clark,	Mr. Studholme,
Mr. Creighton,	Mr. Swan,
Mr. Fox,	Mr. Tancred,
Mr. H. S. Harrison,	Mr. Vogel,
Mr. Kelly,	Mr. Wells,

Mr. Macandrew,	Mr. J. C. Wilson, C.B.,
Mr. Main,	Mr. W. Wood.
Mr. McIndoe,	<i>Tellers.</i>
Mr. McLean,	Mr. Driver,
Mr. Parker,	Mr. Moorhouse.

NOES.

Mr. Barff,	Mr. Kynnersley,
Mr. Borlase,	Mr. Ludlam,
Mr. Bradshaw,	Mr. McGillivray,
Mr. Brandon,	Mr. O'Rorke,
Mr. Brown,	Mr. Stafford,
Mr. Bunny,	Mr. Taylor,
Mr. Curtis,	Mr. Williamson.

Tellers.

Mr. Hall,	Mr. Eyes,
Mr. W. H. Harrison,	Captain Kenny.

The amendment was consequently negatived.

Mr. STAFFORD moved that after the word "thousand" the words "five hundred" be inserted, which was agreed to.

Item as amended agreed to.

Mr. BUNNY moved, "That the words 'from Wellington to Seventy-Mile Bush; thence diverging east and west to Napier, and to New Plymouth' be added to schedule 1, and that under the head 'maximum rate of construction' the sum of £2,000 sterling per mile be placed in the schedule," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	20
Majority against...	...	...	...	...	2

AYES.

Mr. Bradshaw,	Mr. O'Rorke,
Mr. Brandon,	Mr. Russell,
Mr. Brown,	Mr. Swan,
Mr. Carrington,	Mr. Tancred,
Mr. Creighton,	Mr. Taylor,
Mr. Dignan,	Mr. Williamson.
Mr. Eyes,	<i>Tellers.</i>
Mr. H. S. Harrison,	Mr. Borlase,
Mr. Kelly,	Mr. Bunny.
Mr. Ludlam,	

NOES.

Mr. Barff,	Mr. McLean,
Mr. Clark,	Mr. Moorhouse,
Mr. Curtis,	Mr. Parker,
Mr. Driver,	Mr. Studholme,
Mr. Fox,	Mr. Vogel,
Mr. Hall,	Mr. Wells,
Captain Kenny,	Mr. J. C. Wilson, C.B.
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Main,	Mr. Macandrew,
Mr. McGillivray,	Mr. Rolleston.
Mr. McIndoe,	

The amendment was consequently negatived.

Mr. BUNNY moved as a further amendment the insertion of the words, "from Wellington to Masterton, at a cost not exceeding £4,000 sterling per mile."

Question put, "That the words proposed to be added be so added," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	20

Majority against... 6

AYES.

Mr. Borlase,	Mr. Macandrew,
Mr. Bradshaw,	Mr. O'Rorke,
Mr. Brown,	Mr. Swan,
Mr. Carrington,	Mr. Taylor.

Tellers.

Mr. Dignan,	Mr. Brandon,
Mr. Eyes,	Mr. Bunny.
Mr. H. S. Harrison,	
Mr. Ludlam,	

NOES.

Mr. Barff,	Mr. Rolleston,
Mr. Creighton,	Mr. Russell,
Mr. Curtis,	Mr. Studholme,
Mr. Driver,	Mr. Tancred,
Mr. Fox,	Mr. Vogel,
Mr. Hall,	Mr. Wells,
Mr. Main,	Mr. J. C. Wilson, C.B.

Tellers.

Mr. McLean,	Mr. Clark,
Mr. Moorhouse,	Mr. W. Wood.
Mr. Parker,	

The amendment was consequently negatived.

The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

BAY OF ISLANDS SETTLEMENT BILL.

This Bill was read a second time, considered in Committee, reported with an amendment, which was agreed to, and the Bill read a third time, and passed.

NATIVE LANDS FRAUDS PREVENTION BILL.

Mr. McLEAN said that the object of this Bill was to provide further security for the Natives in the transfer of their lands. The Bill had been sent down by the Legislative Council; but there was one clause in it, No. 7, which he considered objectionable, and he should move, in Committee, that it be struck out. The object of the Bill was a very good one, and one which had been very much pressed upon the attention of the Government.

Mr. CARLETON said that he was not going to raise a discussion on the Bill, but merely to express his satisfaction at the statement which had been just made by the Native Minister. If it had not been for that statement, he should have felt it his duty to have opposed the Bill, even by the desperate expedient of successive adjournments.

The Bill was read a second time, considered in Committee, reported with an amendment, which was agreed to, and the Bill read a third time, and passed.

SAVINGS BANKS BILL.

Mr. VOGEL moved, That the amendments of the Legislative Council in this Bill be not agreed to. It appeared to him that the amendments would make the Bill totally unworkable.

Motion agreed to. The Bill therefore lapsed.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

The Native Lands Act Amendment Bill, and the Volunteer Bill. He understood, although it was not expressed in the message, that the Bills were passed without amendments.

The Legislative Council had agreed to the amendments proposed by His Excellency the Governor in the Canterbury Rivers Bill.

The Town of Gisborne Land Sales Validation Bill, with an amendment, in which they requested the concurrence of the House of Representatives. The amendment was ordered to be considered next sitting day.

SUMMARY PROSECUTIONS BILL.

This Bill was received from the Legislative Council, read a first time, and ordered to be read a second time next sitting day.

AMENDMENTS BY THE LEGISLATIVE COUNCIL.

The amendments made by the Legislative Council in the Agricultural Produce Lien Bill, the Government Officers Guarantee Bill, the Militia Bill, the Wairarapa Town Lands Management Bill, and the Nelson Crown Lands Leasing Bill, were agreed to.

SUPPLY.

On the motion that this order of the day be discharged from the paper,

Mr. HALL, before the question was put, wished to ask if the Government intended to give effect to the recommendations of the Committee on Colonial Industries on the subject of bonuses for the encouragement of native industry. He had seen the report of the Committee, which had been circulated, but if he recollected rightly no sum had been placed on the estimates for bonuses. Perhaps the Colonial Treasurer would state whether the Government intended to take any steps during the year.

Mr. VOGEL took some blame to himself in the matter. A valuable report had been circulated, but he had been so much occupied that he had not had time to take action with respect to it. If the House passed a resolution authorizing the same, the Government would take upon themselves some responsibility in providing money out of the contingent votes for giving effect to some of the proposals contained in the report.

The Committee of Supply was discharged from the order paper.

The House adjourned at a quarter to one o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 8th September, 1870.

Privilege—Public Petitions Committee—Standing Orders on Private Bills—Immigration and Public Works Loan Bill—Defence Loan Bill—Treasury Bills Currency Extension Bill—Provincial Ordinances Validation Bill—Railways Bill—Third Readings.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

PRIVILEGE.

The Hon. Major RICHMOND, C.B., brought up the following report of the Select Committee appointed to consider Messages Nos. 56 and 57, from the House of Representatives:—

“Your Committee have the honor to report that they recommend the following resolution:—

“As the Messages Nos. 56 and 57, from the House of Representatives, refer to a Bill in the possession of the Council, and as it is a high breach of privilege for either branch of the Legislature to interfere, in any other than the regular and constitutional manner, in the proceedings of the other branch, the Council seeks to be informed upon the points upon which it is desired to examine the Hon. Mr. Sewell and the Clerk of the House, before it makes a final reply to the Messages referred to.

“J. RICHARDSON, Chairman.”

He would move that the report be agreed to. Motion agreed to.

PUBLIC PETITIONS COMMITTEE.

The Hon. Captain BAILLIE brought up the report of the Public Petitions Committee on the petition of certain settlers of Taranaki.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following Messages from the House of Representatives:—

The Bay of Islands Settlement Bill, which was read a first time, and the second reading fixed for next sitting day.

That they had agreed to the amendments made by the Legislative Council in the Agricultural Produce Lien Bill, the Government Officers Guarantee Bill, the Wairarapa Town Lands Management Bill, the Militia Bill, and the Nelson Crown Lands Leasing Bill.

That they had passed the Native Lands Fraud Prevention Bill with an amendment, in which they requested the concurrence of the Legislative Council. The amendment was agreed to.

STANDING ORDERS ON PRIVATE BILLS.

The Hon. Major RICHMOND, C.B., in moving the motion standing in his name, said that it must be acknowledged that the rules and orders on private Bills required revision, but those which had been referred to the Council had reached it at

so late a period of the session that it was impossible to give them that attention which their importance required.

Motion made, and question put, "That the report of the Standing Orders Committee upon Message No. 52, from the House of Representatives, be agreed to by the Council."—(*Hon. Major Richmond, C.B.*)

Motion agreed to.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that its object was to enable the requisite money to be raised for carrying into effect the Immigration and Public Works Bill. It authorized four millions sterling to be raised by bond, and, in the interim before the money could be raised, it proposed to allow at least one million to be raised upon short-dated bills. The Bill specified the terms upon which the bonds were to be raised, and limited the interest to 6 per cent. upon the amount paid by the purchasers. The last clause had been rendered necessary by the Imperial Loan Guarantee Bill, which was before Parliament, but the Government was not informed as to the exact shape in which it had passed. By that clause the Governor would be authorized to make such arrangements as he might think fit with the Lords Commissioners of the Treasury in regard to the loan, provided such arrangement was not inconsistent with the purposes for which the loan was authorized to be raised. If the Imperial loan were taken, it would be so much in diminution of the amount proposed to be raised under this Bill. The services to which the money was to be applied, were those which were specified in the Immigration and Public Works Bill.

The Hon. Dr. BUCHANAN would ask the Colonial Secretary whether the million for defence was an additional million, or one of the four millions.

The Hon. Mr. GISBORNE.—It is not an additional million, but is, if raised, part of the four millions.

The Hon. Mr. JOHNSTON would be glad if the honorable gentleman would explain more fully the intention of the Government in regard to clause 5, which stated that "the annual charge to be imposed on the consolidated revenue under the provisions of this Act shall not exceed, for interest and sinking fund, if any." It would appear from the words "if any" that the Government had not made up their mind as to whether there was to be a sinking fund or not.

The Hon. Mr. SEWELL.—The Bill limited the interest to 6 per cent. Supposing the money to be raised at $5\frac{1}{2}$ per cent., there would be $\frac{1}{2}$ per cent. towards sinking fund, if the Government chose to create a sinking fund.

The Hon. Mr. ROBINSON wished to know whether clause 3 gave the Governor power to absolutely borrow the four millions, because, in the Immigration and Public Works Bill, the million for immigration was curtailed to £150,000 for the next eighteen months.

The Hon. Mr. GISBORNE.—They could borrow it but could not spend it.

The Hon. Colonel WHITMORE, C.M.G., confessed to a very great feeling of regret that, in the Bills brought down to the Council, they had not been able to introduce those checks and safeguards which he considered to be necessary in the interests of the Colony. They were now about to give effect to that Bill in the most lavish and foolishly trustful manner which the Colony had ever as yet manifested in its financial dealings, for they were about to raise a million, when they had declared that for the next eighteen months not more than £150,000 of that money was to be spent. Therefore, if their legislation had any effect whatever, the sum of £850,000 would be lying unproductive in the hands of the Treasurer. He lamented that the scheme had been brought into operation in so sudden a manner, and in so unprepared a form that he feared that a large portion of the loan would be wasted. That being the case, he should take the sense of the Council upon the question whether it was not better to put back for one year longer the whole scheme which had been conceived in a few days, hurried into the Legislature, and modified to suit this and that party in either House, until it at last came before the Council in its present form. For that reason, and no other, he should move that the Bill be read a second time that day six months. He regretted to see that, throughout all the proposals of the Bill, there was the same effort, which had distinguished the whole of their legislation upon those subjects, to get as much money as possible, and to put unrestricted confidence in the honorable gentlemen who happened to be on the treasury benches. It was not from any desire to impute to those gentlemen any want of that solidity of character or experience which would entitle them to the confidence of the Legislature, but because it was the duty of the Legislature not to place that blind trust in anybody, that he objected to the system which had been inaugurated this session. Glancing over the Bill, he saw that the object of the Government was to obtain the means first and to find a way of spending it afterwards. There was scarcely a single clause in the Bill which was not of the same character as the clause to which the attention of the Council had just been drawn by his honorable friend Mr. Johnston. Was there one among them who would transact his private business in the way in which they were called upon to transact that of the country? Honorable gentlemen would, he thought, agree with him that it was out of place to rush into financial matters in that headlong and unsecured manner. He did not wish to take up the time of the Council, but it was only consistent with his previous action to ask that they should postpone the whole question until next session, and, therefore, he begged to move that the Bill be read a second time that day six months.

The Hon. Dr. BUCHANAN said that three of the Bills which appeared on the order paper—the Immigration and Public Works Loan Bill, the

Defence Loan Bill, and the Railways Bill—ought to be considered in relation to the Immigration and Public Works Bill, which had been passed by the Council a few days ago. All were parts of one gigantic whole. Two of the Bills had only been circulated on the previous evening, and it was not until that day that he had seen a copy of the Railways Bill, and yet they were now asked to pass one of them without anything like the full consideration which such important measures demanded—measures which involved the raising and spending of no less a sum than five millions of money. In the first place, he doubted whether they would be able to raise all those millions as easily as some people imagined. He should have had very great pleasure in supporting the Government if they had adhered to their original programme, namely, that no action would be taken as to the formation of railways and other works during the next few months; that they would confine themselves to obtaining information and skilled advice, so that when the Assembly met next year they would have been prepared to propose a comprehensive scheme for the whole Colony; but he shrank from the responsibility of rushing on at the railway speed they were now invited to do. He should, therefore, adhere to the conditions on which he supported the second and third readings of the Immigration and Public Works Bill, and should consider it to be his duty to vote against the second reading of this Bill. There were schedules in the Bill before them affecting the Middle Island. He did not see why honorable gentlemen who lived in the North Island should not also come down with their great scheme. They were rushing, pell-mell, he did not know where. He implored the Government, even at that eleventh hour, to reconsider, and, if possible, retrace their steps.

The Hon. Mr. CAMPBELL thought that it was very undesirable to postpone the passing of this measure. He agreed that it would have been acting in a more business-like way if they had had fuller details as regards the whole scheme under consideration this year, but with regard to the railways which were proposed to be constructed at once, they had every information. The whole details of the Dunedin and Clutha line had been before the Legislature for the last four years. In respect to the extension of the Canterbury railways, they had before them, in the practical financial success of those lines, every argument that it would be desirable to continue them. He believed that if the Nelson and Cobden railway were constructed at a cheap rate, it would tend to open up a large extent of country which was now absolutely worthless. The Picton and Blenheim railway would afford facilities for the carriage of produce to market, at a reasonable rate, if they were to place any reliance upon the statements of those who were acquainted with the country. The honorable gentleman said, "Why not postpone all these works for another year?" The great thing which should guide them was the position of the money market in England. He believed that the

Colony could raise a loan in the English money market at 95, bearing 5 per cent. interest. Although the Government took authority to borrow four or five millions of money they did not propose to raise it all in one year. They simply took authority to borrow that amount. He did not believe that between now and next session the Government would be called upon to raise even one million. Looking upon the question from a financial point of view, he thought it was desirable that the Colony should go into the money market and say that so much money would be required within the next few years. That was the course pursued by Victoria. They obtained authority in 1853 or 1854 to borrow £7,000,000 or £8,000,000; they raised the money gradually, but intimated, at the same time, that the total amount which it was proposed to borrow in a certain number of years would not exceed £7,000,000, and although the amount spent during next year would very probably not exceed £1,000,000, it was advisable that they should adopt a similar course.

The Hon. Mr. SEWELL said that instead of this Bill being a departure from the ordinary course, as stated by the honorable and gallant gentleman, Colonel Whitmore, he maintained that it was strictly in accordance with it; in fact, he was unable to conceive what other course could have been adopted under the circumstances. The Council had already resolved that a scheme for the construction of large works, and for other objects, should be undertaken, and it was now proposed that they should place in the hands of the Government the means of carrying out that arrangement. The honorable gentleman, Mr. Campbell, had shown sufficient reason why this measure should be adopted. Honorable members should not lose sight of the fact that it might be impossible, at some future period, to go into the money market under terms as favourable as they could do at the present time. Some honorable gentlemen seemed to think that because the Government sought to obtain that advantage, they desired to be able to borrow and spend money at pleasure; but the Bill had been carefully framed to provide against this. It enabled the Government to go into the money market to the best advantage. The Government were prevented from appropriating a single penny, except under provisions over which the Legislature would have full control; in fact, it was provided by law that the money could not be dealt with except under the authority of the Assembly. It therefore seemed to him that this Bill was simply a measure providing the most convenient and beneficial means for the carrying out of an undertaking to which the Council had already pledged itself.

The Hon. Dr. GRACE said he simply rose to say that he thought it would be premature to pass the second reading of this Bill until the Council had dealt with the Railways Bill, for unless that Bill were passed they could not say whether they would want money for some of the purposes mentioned; and, in fact, money would be voted which might never be required. Under the circum-

stances, he moved that the second reading of the Immigration and Public Works Loan Bill be postponed until the order of the day for the second reading of the Railways Bill had been disposed of.

The Hon. Mr. HOLMES said he could not see any reason why the second reading of the Immigration and Public Works Loan Bill should be postponed. He considered that the Council should give to the Government the power of negotiating the loan mentioned in the Bill, and one of the greatest reasons why they should do so was this: that, at the present time, the Government would obtain money on advantageous terms by placing the matter in the hands of some great financial house at home. It was absolutely necessary that the Council should pass this Bill in order that what they had already done would not be rendered inoperative, for if this Bill were not passed they would not have any means of carrying out those works which were specified in another Bill; if, in fact, they did not pass this Bill, what they had already done would be simply a work of supererogation.

The Hon. Mr. WATERHOUSE said he thought the objection which had been taken by the honorable gentleman, Dr. Grace, would be met, and that the public business would be expedited, if the Government would consent to consider this Bill in Committee after the Railways Bill had passed through Committee. They might take the second reading of the Immigration and Public Works Loan Bill now, but its consideration in Committee might be postponed until after the consideration in Committee of the Railways Bill.

The Hon. Mr. JOHNSTON said he thought they should first determine what railways were to be constructed, and then what money was required to do so. This Bill gave power to negotiate a loan of £4,000,000. An item in the schedule was £2,000,000 for railway purposes; therefore, they should first decide whether they would construct railways or not. It had been already decided that only £150,000 should be spent in immigration during the next eighteen months, and it therefore seemed that they did not require to consider the necessity of raising a million for that purpose; but to do justice to this Bill he thought the question as to railways should be first considered.

The Hon. Mr. McLEAN said the question was, whether they should consider the Bill at the present time or not. He must say he considered that it should be first disposed of.

The Hon. Mr. GISBORNE said he certainly thought the Council ought to proceed with the second reading of the Bill. Honorable members seemed to confuse the power to borrow with the power to spend. Although by this Bill the Government would obtain power to borrow, it would still remain with the Assembly to say how much should be spent. He thought it would be admitted that the course which it was proposed should be adopted was the best course that could be pursued. The best plan was to pass a permanent Loan Act for the full amount to be borrowed, and

then the Assembly could decide year by year how much should be spent. The Government might, perhaps, go to some eminent firm and state the full amount which they desired should be placed to their credit; but they would state, at the same time, that they could not spend it all in one year—that the Assembly would decide how much should be spent in each year. The Government would ascertain what arrangement could be made, so that they could draw upon the firm to the full amount to be spent. That would be a much better plan than by going to the London money market one year and saying that they had been authorized to obtain £300,000, and going again the following year and saying that they had been authorized to get a similar sum. He feared that the minds of some honorable gentlemen were confused as to the effect and object of the Loan Bill. What was proposed was, that it should be stated what was the maximum amount for which the Colony would be responsible, and the Government would be able to effect an arrangement on more favourable terms than if they applied each year for a small amount. Borrowing and expending money were distinct terms, and in this case they should not be intermixed at all. It had been determined that £150,000 should be expended in connection with immigration during a period of eighteen months; on roads £100,000; and on telegraphs £60,000; nothing definite had been decided in regard to waterworks. He thought the honorable gentleman, Mr. Johnston, and other honorable members who had any experience in connection with the negotiation of loans, would admit that it would be much better for the Government to be armed with a permanent Loan Bill like this, specifying the full amount to be borrowed, and not borrowing at any time more than they were authorized to spend, but making arrangements by which they would get credit for the whole amount. He trusted the Council would not postpone the second reading of the Bill.

The Hon. Colonel KENNY said he had been placed in rather a difficult position by the action which had been taken by the honorable and gallant Colonel Whitmore. If the amendment that the Bill be read that day six months were carried, of course it would, in one sense, accord with his (Colonel Kenny) views, because he was opposed to the proposition to obtain the loan of four millions; but, on the other hand, the amendment would take from the Government the power to raise the money which the Council sanctioned a day or two ago for the promotion of immigration. He was of opinion that the matter should be adjourned, and that they should consider the other Bill first, and fix a certain amount for railways as they had already done for immigration. But there was another difficulty. The last clause referred to the million loan guaranteed by the Imperial Government. That was included in the four millions, and if they did not take care they would be shutting themselves out from what they must all admit was a proper course to take, namely, the acceptance of that loan. That million was included in

this Bill, therefore the honorable and gallant colonel had placed honorable gentlemen on all sides in a difficult position. If the honorable and gallant gentleman would withdraw his amendment, he should be prepared to assist him in putting a restriction upon clause 3, and to propose that instead of obtaining four millions, they should get, say, one million in addition to the amount guaranteed by the Imperial Government, to provide for the sum of £150,000 which the Government had been authorized to spend for immigration purposes, and to meet other sums which the Council might decide should be expended in connection with railways. He could not say that he saw any necessity for raising so large a sum as four millions; he believed that two millions would be sufficient for all purposes. If the Bill were postponed until after the Railways Bill had been considered, some middle course, satisfactory to all parties, might be arrived at.

The Hon. Mr. PATERSON said he did not desire to throw any obstacle in the way of the second reading of this Bill, but he could not help thinking that the best course the Council could pursue would be to decide what works should be undertaken during the current financial year, estimate the cost, and then they would know how much money they would require to borrow. He did not advocate the system of going into the money market every year, to obtain small loans; but whilst he did not object to the four million loan as a whole, he wished it to be determined that, during the current financial year, only a certain portion of that amount should be spent. When the Council had ascertained what works were to be undertaken, they could fix the exact amount, and, by amending the clause of the Bill, limit the amount to be borrowed during the current financial year. He had already stated that he considered they were groping in the dark; they had no means of knowing what was the general opinion of the country on the question. Before another year had expired, the country would have expressed its opinion upon the subject in an emphatic manner, and if they determined to raise only a certain sum during the current year, he would support the second reading of the Bill; but the Railways Bill should be taken into consideration first, in order that they might ascertain what amount they would require to expend.

The Hon. Mr. BONAR said he did not think the arguments which had been advanced should be allowed to interfere with the second reading of the Bill. As had been stated by the honorable member, Mr. Johnston, they should first decide what they ought to do, and then raise the money necessary. They had already decided the first question in passing the Immigration and Public Works Bill, and they were now taking into consideration the advisability of raising the money. It was, therefore, consistent that they should take into consideration how the money should be raised before they proceeded further as to the special works to be undertaken. In any case, there could be no objection to the Council passing the second

reading of the Bill; other matters referred to could be dealt with when the Bill was being considered in Committee.

The Hon. Mr. ROBINSON said it had been decided that four millions should be borrowed; but they ought also to decide to what extent the Government should operate upon it. The Hon. the Colonial Secretary had told the Council that it was not likely the Government would spend money unless it were found necessary.

The Hon. Mr. GISBORNE said they had already authorized that two millions should be spent on railways, and one million on immigration.

The Hon. Mr. ROBINSON said no doubt that was the case, but it had been also resolved that the million for immigration should only be operated upon to the extent of £150,000, to be extended over a period of eighteen months. The Hon. the Colonial Secretary had also said it was not proposed to borrow the whole four millions at once; but he (Mr. Robinson) had no doubt it was fresh in the memory of honorable members that a gentleman was authorized to contract a loan to an extent as great in amount—seeing that it was for a Province—as this loan was for the whole Colony. That gentleman raised the whole amount of the loan at once at 8 per cent interest, and invested it at 3½ until he wanted it. They should first decide upon the works to be undertaken, and then allocate to each work the amount required to carry it out.

The Hon. Dr. GRACE said he would withdraw his amendment if the Government would accept the proposition of the honorable gentleman, Mr. Waterhouse. He was willing that the Bill should be read a second time, provided the Council considered the Railways Bill in Committee before they considered the Immigration and Public Works Loan Bill in Committee. He wished to do nothing except what could be properly regarded as a thorough business-like proceeding. He would like to know whether the Government would accept that proposition.

The Hon. Mr. GISBORNE said he had no objection if it were the wish of a majority of the members of the Council, but he considered that this Bill had nothing to do with the Railways Bill. If the Council rejected the Railways Bill, they would still require the Bill under consideration as an authority under which to borrow money next year for any railway or other works authorized by the Assembly to be carried out. He would take the sense of the Council upon the question raised by the honorable gentleman, Dr. Grace.

The Hon. Mr. HOLMES said he would not be a party to any compromise. He did not think that this Bill should depend upon the passing of another Bill, because this Bill would not, under such circumstances, be dealt with on its merits.

The Hon. Mr. DOMETT said that they had already sanctioned the spending of three out of the four millions—two millions for railway purposes and one million for immigration—and if the four millions had been sanctioned in detail, why should they not pass the second reading of the Bill? The object simply was to sanction a scheme. There was a great difference between a

scheme and the execution of it. This Bill simply sanctioned the scheme, and before the money could be spent the sanction of the Assembly must be obtained. The Government said they had got a scheme which would require four millions, so they wanted to know whether they could borrow the money or not. Honorable members wanted to know, the other day, how the four millions were to be spent; but the Government might very properly say that it would be very little use their going into calculations, and incurring a large expenditure for salaries and in other ways, simply to mature the details of a scheme, when they did not know but that they would be prevented from going into the money market to get the money necessary to carry it out.

The Hon. Mr. WILLIAMSON said he had understood that the Council admitted the principle of the Bill before it came before them. He did not think that by this Bill they should place restrictions upon the Government in connection with the expenditure. A Loan Bill should be clear and free from all other matters, and he must say that he considered it was only a waste of time to discuss a principle which they had already admitted. The second reading of the Bill should not, in his opinion, be postponed.

Question put, "That the debate be adjourned until after order of the day No. 4 has been disposed of," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	20
—					
Majority against...	...	...	...	...	11
—					

AYES.

Dr. Buchanan,	Mr. Paterson,
Dr. Grace,	Mr. Robinson,
Mr. Johnston,	Mr. H. R. Russell,
Colonel Kenny,	Colonel Whitmore.
Mr. Nurse,	

NOES.

Captain Baillie,	Mr. Pillans,
Mr. Bonar,	Major Richmond, C.B.,
Mr. Campbell,	Colonel Russell,
Mr. Chamberlin,	Mr. Sewell,
Mr. Domett,	Mr. Seymour,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. J. P. Taylor,
Mr. Holmes,	Mr. Waterhouse,
Mr. Lee,	Mr. Wigley,
Mr. McLean,	Mr. Williamson.

The amendment was consequently negatived.

The question, That the Bill be read a second time this day six months, was put and negatived.

The Bill was read a second time, and considered in Committee.

IN COMMITTEE.

Clause 3.—Power to borrow four millions.

The Hon. Mr. HOLMES moved that the following proviso be added to the clause:—"Provided that not more than one million shall be borrowed in any one year."

Question put, "That the words proposed to be

added be so added," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	12
—					
Majority for	...	...	...	...	4
—					

AYES.

Mr. Bonar,	Major Richardson,
Dr. Buchanan,	Mr. Robinson,
Dr. Grace,	Colonel Russell,
Mr. Holmes,	Mr. H. R. Russell,
Colonel Kenny,	Mr. Stokes,
Mr. Nurse,	Mr. Waterhouse,
Mr. Paterson,	Colonel Whitmore,
Mr. Pharazyn,	Mr. Williamson.

NOES.

Captain Baillie,	Mr. Lee,
Mr. Campbell,	Mr. McLean,
Mr. Chamberlin,	Mr. Pillans,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour,
Mr. Johnston,	Mr. Wigley.

PAIRS.

For,	Against,
Mr. Domett.	Mr. Mantell.

The clause as amended was agreed to.

The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

DEFENCE LOAN BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said the object was to raise a million of money for defence and other purposes; he did not mean, by the latter term, purposes connected with defence. In regard to money for defence purposes, there would only be borrowed what was set forth in the financial policy; of course, the Government would not borrow more money than the Assembly authorized them to spend, because it would be of little use their having money in the Treasury which could not be appropriated, and for which interest would have to be paid. Whilst the amount to be obtained for defence purposes would be a colonial charge, all others would be provincial. The Provinces could not borrow now, but if it appeared advisable that a Province should have a certain amount placed to its credit, the Colony could borrow the money, and make it a provincial charge, the interest and sinking fund being paid by the Province. The first of these amounts was for the Province of Auckland £50,000. A portion of this, amounting to £23,000, was to meet the claims of Mr. James Busby. Honorable gentlemen would be quite well aware that the land claims of Mr. James Busby were of long standing—antediluvian, in fact, as far as New Zealand was concerned. An act was passed three or four years ago, with the object of arranging this matter by arbitration, but it seemed to make matters only worse, and Mr. Busby used to come up, session after session, and try to get those terms enforced upon the Province of Auckland. At last the Provincial Government had succeeded in

making terms with him, by which the Province was to pay him £23,000, which sum was that to which he had referred. The remaining portion of the £50,000, namely, £27,000, was the sum which Auckland owed to the Colony under the Loan Allocation Repeal Act. The Province was not able, at present, to pay the principal amount, but was quite ready to pay the interest and sinking fund on it. Under the existing law, which he considered a very wise law, Provinces were not allowed to borrow money, and so it was proposed that the Colony, which could borrow the money at a much lower rate than the Province, should do so, and charge the interest and sinking fund of the loan against the Province. The next item, £6,000 for Taranaki, was of a similar nature, and was intended to meet the sum which that Province owed to the Colony under the same Act. With regard to the next amount, £17,000, he might explain that it was intended to provide for about £2,000 or £3,000 which Wellington owed to the Colony under the Loan Allocation Repeal Act, the balance being the sums advanced to the Province last year for the construction of the Wanganui Bridge. That sum would be made part of the consolidated debt of the Colony, and the interest and sinking fund would be charged against the Province. The next sums were £50,000 for Otago, to meet the liabilities of the Province of Southland, and £50,000 to cover certain dock bonds. He would explain, with regard to the union of Otago and Southland, that while the latter Province had a separate existence it owed about £15,000 to the Colony, and £35,000 to private individuals, but it was impossible for the Colony to enter into an arrangement to borrow that amount and charge it provincially to Southland, because all the ordinary revenue of that Province was absorbed in paying the interest on the debts already owing, and in meeting the necessary expenditure of its Government. By the union of Southland with a flourishing Province like Otago, this process could be adopted: the Colony could borrow the money and charge the interest and sinking fund to the united Province. In explanation of the Otago dock bonds, he might say that an Ordinance had been passed by the Provincial Council authorizing the issue of those bonds, which might have been added to "The Consolidated Loan Act, 1868," but the negotiations with regard to the raising of the money for the dock were not completed at the time, and the money was afterwards raised at 8 per cent. The bonds could now, however, be bought back at a small premium, and, of course, it would be a very great financial benefit to that part of the Colony, and a corresponding advantage to the whole Colony, to enable those bonds to be repurchased and charged with interest of $5\frac{1}{2}$ per cent. instead of 8 per cent., as at present. It was, therefore, intended to include the amount in the schedule in the proposed Loan Bill. These items, including a sum for redemption of treasury bonds, together with the amount for defence purposes, which latter sum, as he had already explained, would be subject to the annual vote of the Assembly, made up the million proposed

to be borrowed. He begged to move the second reading of the Bill.

The Hon. Colonel RUSSELL said that, as far as the question of defence was connected with the Bill now under consideration, he had great pleasure in giving it his unqualified approval. He only regretted that the same course had not been adopted some years ago, as he believed it would have saved the country great expense and humiliation. He apprehended now that, provision having been made for keeping up a military force for the next five years, they might fairly hope that, as far as funds were concerned, the Colony would have an efficient defence force. As to the way in which that force was organized, it was not, of course, for him to speak, but he must say that the present system was certainly not in accordance with his views. The Legislature would, however, be so far exonerated in case of failure, inasmuch as it had placed sufficient funds in the hands of the Government to keep up an efficient permanent force. He was sorry to see the other items in the second schedule mixed up with the expenditure on account of the defence of the country, but as to the merits of the particular items he did not feel himself competent to give an opinion.

The Hon. Colonel WHITMORE, C.M.G., said that he had already expressed his opinion that the Government deserved credit for re-establishing this system of defraying the cost of defence, and they deserved it all the more because it involved the swallowing of many tons of their own words of last year. It was high treason, in their eyes, for their predecessors to have proposed such a course last session, but this session they had the courage to admit that they were utterly and completely wrong on one of the main grounds on which they took office. Although that fact might, in some degree, shake the confidence of the House in the foresight of the Ministry, still, there was no question that it entitled them to the admiration of honorable members. With regard to the Bill itself, he thought the system now adopted was the only system by which the defence of the Colony could be provided for. He differed very much from the direction in which the Government appeared to delight in spending the money devoted to the defence of the Colony. He could not at all approve of the system of those levies *en masse* of the Native race. The Government this session had, from peculiar circumstances, not undergone that severe criticism of their acts during the past year which all other Governments that he knew of had been subjected to, and as they had made themselves remarkable by the misuse of the public telegraph, a great deal that was untrue had been conveyed to the people of the Colony. If, however, the real truth were known as to the services of these so-called friendly Natives during the past year—how they were now employed, the old and young, the brave and cowardly, all that could be scraped together for money or arms—the country would see, what it already suspected, that such a system was diametrically opposed to the present and future

interests of the Colony. When, therefore, the Council was about to involve the country in a loan for defence purposes, he thought they should, at the same time, say that the money thus raised should be applied solely to the maintenance of a European force—an armed constabulary—for the period of five years, and in Committee he would endeavour to introduce a clause which would confine the expenditure of this money to the purpose for which he thought the country understood it was to be raised. With regard to the employment of the friendly Natives, he had great hesitation in speaking out upon the subject, but he must assert that they had been an utter failure as a whole, and that the small body of sixty or seventy men at Wanganui, who had been sworn in under the Volunteer regulations, were at least as useful as the rest of the 650 men of the same tribe whom the Premier had placed on pay. He believed that if the Government were to employ the friendly Natives at all, they ought to pick their men as Europeans were chosen, employ only the number absolutely required, and take care that those who were employed were really and honestly faithful. A very gross error had been committed by the Premier; in fact, an error which, with any other Ministry, would have involved something very like an impeachment, when he employed the notorious Topia. That man wished to obtain the pardon of a certain number of the Waitotara Natives, who, defeated in war, had given themselves up to the Wanganui Natives. Topia bargained to make a campaign against Te Kooti, upon the understanding that these rebels were pardoned and that forty stand of arms were given to him, which, of course, soon mounted up to 150; but the arms were not the real object of that great chief—it was to get these Waitotara Natives pardoned, who, as soon as they got their liberty and went to the Urewera country, returned whitewashed to Wanganui, where they now were, with new arms in their hands, notwithstanding their previous offences. He believed that the 100 Ngatiporou selected by the late Government were more effective than any 500 men taken up under the present system. He might be told that it was more economical to pick them up in this way and turn them off at a moment's notice, but he denied it, and asserted that it would cost less to take a fifth of the number of men on the principle of enrolment and selection advocated by the late Government, and employ them for five times as long. He would be told, also, that a new system had been adopted of employing these men without payment, but when he had an opportunity of seeing the amount which had been expended on the Natives during the past year, which the Government showed such a marvellous reluctance to place before the other branch of the Legislature, although continually pressed to do so, he would be better able to say whether that had caused any saving. But knowing, as he did, the large supplies given to these Natives, and that whenever they were called out for a time, each man always took home again a completely new set of accoutre-

ments and arms, and came out again the next time with none, he doubted very much whether that was an economical manner of employing them. He thought, on the contrary, they were very handsomely supplied, at great expense to the Colony. He believed, likewise, that a large sum of money had been given to those people by way of reward, although they had not captured Te Kooti, and the understanding was that they should not receive any pay unless they did so. Honorable members would remember how often they had been told that these friendly Natives were going to catch Te Kooti, and how often he had escaped. Let them compare the statements made with the facts, even at the present moment, notwithstanding the last sensational telegram with regard to Ropata tearing his beard, and declaring that he would never come back without Te Kooti. In point of fact, on the first occasion that Ropata went out he did nothing, Kemp having done all that was accomplished; on the second he stopped a few days, and then sent orders to Mr. Ormond to send a steamer for him to fetch him back; and on the third occasion when he tore his beard, and declared he would never come back without Te Kooti, he stayed out for three or four days, and then came back. In fact, there was a laziness amongst these Natives, which would show itself always after a few days exertion, and it was only by having European officers over them, whose credit depended upon the conduct of the campaign, that it was possible to get any work out of them. Again, let honorable members look at the Arawa tribe, which, in consequence of the late mismanagement, had changed from being a most friendly tribe to a disaffected one, and were absolutely treating with the king. This was the result of bringing large hordes of other tribes into the field, and showing favour to them over older friends, and it was exactly what might be expected, so long as the present system was adopted of paying whole tribes. The next tribe would always expect the same expenditure, and, if they got it, the next would expect it, while no satisfactory result would be obtained from their labours. He believed that with one-fifth of the number of Natives who had been on daily pay, or engaged on contract, during the past year, if those Natives had been under the command of Europeans, the country would long ago have been at peace, whereas, at the present moment, the country was in the same condition that it was in last year, and Te Kooti had a larger body of men under him than he had then. He had information, and he thought other honorable members had the same information, which rested upon no trifling authority, that Te Kooti was now at Ruatahuna, the capital of the Urewera country, at the head of a hundred fighting men. A very large number of the Urewera, who at first were inclined to surrender, had now returned under his authority. That was information which he had, and he read also in the newspapers that the King was going to have a meeting with a large number of the Arawa, and

the cannibal Titokowaru and his followers, and that he had given over the charge of stopping the telegraph to the Ngatimaniapoto, our greatest enemies. That was the result of the recent expenditure. He thought that as they were now about to vote a loan for the full amount which the Government considered necessary to put an end to the war, and keep the peace of the country, they ought to have some assurance that the money would not be frittered away in the manner in which it had been wasted last year. If it was necessary to flatter the idiosyncracies of one gentleman that a certain sum should be spent in buying blankets for the Natives, let that sum be put down in a separate estimate, but do not let them, on the pretence of paying for defence purposes, include it in a block sum, and confuse the two heads of expenditure. The sum put down there for next year, £180,000, with the rather remarkable parenthesis "including liabilities," was intended, he had no doubt, to include about £20,000 of the previous year's liabilities, which it was not considered advisable to explain to the Assembly, or which neither the Defence Minister nor anybody else had had any information about. He said this because he had such knowledge of that gentleman's management in these matters that he was quite certain that he was perfectly innocent of all knowledge of the amount of liabilities; so much so, that if they amounted to £100,000 he was very likely to be ignorant of the fact. He did not, in saying this, mean to blame that gentleman, but those who put him into a position for which he was not particularly qualified. He would like to have seen, when laying down some principle for the permanent defence of the country, that provision was made for military immigration, so as to recruit the colonial army by drafts from the youth of the home country, and by degrees to reduce the monstrous pay now given, which he was perfectly sure the country could not afford. There was never any complaint by the men under his command that the rate of pay was too low; indeed, he thought it was high enough. It commenced at 4s., and at the time of Ngutu-o-te-Manu it was increased to 5s., whereas the men were now getting 6s. 6d. under the new regulations. No better men were got in proportion to the increased pay, while a difficulty was created in maintaining the proper number of the force, because, if peace was obtained, the people of the country might not be disposed to keep up so expensive a force. There were plenty of men in England who would gladly come out here and serve here at 2s. 6d. a day, which was a higher rate of pay than the Irish Constabulary got. That was one reason why he thought a stop should be put to the present high rate of pay. If it could be shown that they were getting better men he should not have the same objection, but inasmuch as no man in receipt of that high pay had ever proved his superiority, and as it was considered that they were not worthy of being intrusted with any military duties whatever, their inefficiency had not yet been demonstrated. He did not think that the system of training which was

adopted would make those men more valuable than those who had preceded them, because those extremes of "pipeclay," so useless in rough warfare, were now indulged in. It used to be said that it was unnecessary to carry out here the rigorous system of drill which obtained in Her Majesty's service, but he had looked narrowly into the present organization of the force, and he could answer for it that all drill expected from the Queen's troops was exacted from those men in precisely the same way. One thing which was not exacted, and which was of more importance, was the absolute experience of bush life, and of carrying their own food and blankets. The men had not acquired that confidence in their own superiority over the enemy which could only be gained by actual warfare, and once acquired, would remain in the force as a tradition. No doubt the men were physically the finest that could be found in the Colony, and he believed that they had been chosen on account of their good character. The quantity they drank had nothing to do with the character of the men, but it struck him that when such quantities of spirits, as he learned, were consumed regularly in the Taupo camps, there was a danger that the men would exceed temperate bounds when they returned after having been in the field for some time without liquor. He would have been inclined to sacrifice a little sobriety for the sake of obtaining men who were known to be able to bear the fatigues of bush warfare, and who had shown that they were capable of fighting with the rebel Maoris. When the Bill was in Committee he should endeavour to restrict the expenditure to the permanent force, whether it were composed of Europeans or Maoris; because, whatever he might have said about friendly Natives, he had the greatest respect for those who had been sworn in, and considered that they were, for many purposes, equal to our own troops. He believed that the detribalized Maori was a valuable auxiliary in our warfare. He thought that schedule 2 of the Bill, by which the even million was made up, was discreditable to the country. He could not see the necessity of it, and would like to have seen some expression to the effect that the money for defence, if raised in anticipation of requirements, was to be invested in New Zealand bonds. He could not see why the Colony should borrow money to make good the items in schedule 2; why they should have to make the payment to Mr. Busby; why they should have to pay off the interest which had accrued under the Loan Allocation Act of 1867, which was legitimately due by the Province of Auckland to the General Government; and why the Otago dock should be so charged. He considered that those matters ought to have been dealt with by separate Bill. He hardly understood why the £37,000 for the redemption of treasury bills was put in schedule 1, and fancied it should have been placed in schedule 2. If those items were included in the Defence Loan Bill, the people of the Colony would say that it was all for defence purposes, whereas, a great portion of that million would not be for defence purposes at all. It was like the Darling

Bill tacked on to the Victorian Appropriation Act. He gave the Government great credit for having brought down a proposal for a defence loan, and he should not oppose it.

The Hon. Mr. WATERHOUSE desired to express the hope that at that very advanced period of the session the Government would not think it necessary to dwell at any length upon the arguments of the honorable and gallant member who had just addressed the Council. He remembered reading a remark of Sydney Smith, in which he said that he had been "preached to death by wild curates." He owned that he was in a somewhat similar state of exhaustion, and he thought that, after sitting up so late at night, they were not equal to giving that attention to lengthened speeches which they would otherwise do. He hoped that in the consideration of that and other measures, they would be as short as possible in their addresses, and confine themselves to the immediate subject before them. It must be obvious that it would be impossible to bring the session to a conclusion as soon as they desired, unless they placed some restrictions upon themselves.

The Hon. Mr. CAMPBELL said that whilst he cordially approved of the Bill under consideration, he did object to schedule 2. It was almost an act of dishonesty to say that a certain amount was to be borrowed for defence purposes, and then to apply it to other purposes, such as the Wanganui Bridge, Busby's claims, the Loan Allocation Act, Southland debt, and the Otago dock trust. He had added up the different sums, and they amounted to exactly one million, out of which £790,000 was to be applied for defence. The Government had exercised a great amount of ingenuity in filling up the items with such nicety. He believed that those amounts were either over-stated or under-stated. It was utterly impossible that all those appropriations were exactly correct.

The Hon. Mr. GISBORNE.—Look at the last item in the first schedule.

The Hon. Mr. CAMPBELL.—That was for the redemption of treasury bills. The item of payment to James Busby should have been paid by the Province of Auckland out of its land revenue.

The Hon. Mr. GISBORNE.—It is provincially charged. The Provinces themselves cannot borrow.

The Hon. Mr. CAMPBELL.—It would be charged against the Province of Auckland, but it was adding to the whole debt of the Colony. What had the Wanganui Bridge to do with the defence of the Colony? If the Government wanted a loan for miscellaneous purposes, it was their duty to bring down a special Bill. He objected to money being raised under the Defence Loan Bill for the purpose of paying off the Southland debt. He considered that the Province of Otago, in taking over the Province of Southland, understood that it was to pay the amount owing to the Colony for those debts. The Colonial Secretary, in moving the second reading of the Otago and Southland Reunion Bill, had said that the Province

of Southland would be utterly unable to meet its debts, and almost insinuated that the only reason why the Government should hand over the Province to Otago was, that they might get back the money which was owing. The Province of Otago was perfectly willing to take over Southland, and pay its debts, as well as £25,000 outside of those debts.

The Hon. Mr. GISBORNE.—Not out of their revenue.

The Hon. Mr. CAMPBELL believed that the Province would be able to pay it out of the revenue. It was not fair to other parts of the Colony to say that Otago should have those increased borrowing powers. On looking through the financial statement he found that all those amounts which had been advanced to the Province of Southland, for the Wanganui Bridge, and other items, had been raised by treasury bills, and, therefore, the money raised under this Loan Bill should be applied towards redeeming these treasury bills. It practically meant that they were adding to the liabilities of the Colony.

The Hon. Mr. SEWELL said that they were getting into a discussion which more properly belonged to the other branch of the Legislature. The question now under consideration was, not the schedule, but the second reading of the Bill. Instead of looking at the Bill with that alarm which had been expressed by some honorable members, the proposal now made met a difficulty which had been present to his mind respecting the antecedent accounts of the Colony, namely, how the Colony was to recoup itself the sums which it had advanced to the Provinces. The effect of the arrangement in this Bill would be to bring back the money to the credit of the Colony, and to charge the Provinces with the interest upon it—the only form in which the money could really be got back. He could see a very good reason why this money should not be included in the Immigration and Public Works Loan Bill, because it was for a totally different object; but he could not see the necessity for a third Loan Bill, and, therefore, it was quite legitimate to include it in the present Bill, which was "for defence and other purposes." The proper time to discuss each item would be when in Committee."

The Hon. Mr. ROBINSON did not agree with the honorable gentleman, that it was not now the proper time to enter into those matters, because the principle of the Bill was affirmed by reading it a second time. He thought that it was a very objectionable procedure to insert such items in a Defence Loan Bill.

The Hon. Mr. DOMETT said that although part of this Bill was distasteful he should vote for it, because it was the necessary result of the bad system which had obtained and must obtain for the present. It was proposed that the Colony should pay certain debts which had been incurred by the Provinces, although it did not appear that those debts were caused by, or even sanctioned by, the Colonial Legislature. There were two Governments in the country, and while honorable members denounced the system of partnership between the Provinces

and the General Government which existed formerly, a worse system was going on now, namely, that there were two independent powers, both of which could expend money and incur debts while one of them had to pay. If that could be put an end to by any Bill he would vote for it, but it could not be done by opposing this Bill. The items were to be charged against the amount which the Provinces would receive as capitation allowance. The Provinces, however, would probably never pay it, but leave the General Government to take over the debt again. The proper course for the Legislature to take some years hence when the result followed—he did not say that it would follow—when additional taxation was required to pay that portion of the debt which had been raised by the Provincial Governments—would be to insist upon that taxation being imposed by the Provincial Legislatures, and then the public would begin to open their eyes to the state of things. At present, the Provinces ran the Colony into debt, and the odium of finding the money to pay the debt rested with the General Assembly. While that system was allowed to continue there was nothing to be gained by objecting to this or that particular Bill; they could only grin and bear it, and as part of his share of the grin, he should vote for the second reading of the Bill.

The Hon. Mr. GISBORNE did not propose to go at length into either the financial details, respecting which questions had been raised, or the military policy of the Government. With respect to the objection of his honorable friend Mr. Campbell, he would state that the title of the Bill declared that the loan was “for defence and other purposes.” It might have been divided into two Bills, but there was no attempt at any disguise. With respect to schedule 2, the honorable member would see that, in the end of schedule 1, there was a sum of £37,000 providing for the redemption of treasury bills, which had been issued in order to enable certain advances to be made. As to the policy of borrowing these amounts and charging the interest and sinking fund to the Provinces, honorable gentlemen must look at the whole financial system of the Colony. It was not like the case of a country where there was one central Government. There had been certain relations between the Provinces and the General Government. In 1867 an Act was passed forbidding the Provincial Governments to borrow. It was clear that if there was a large sum owing by the Provinces to the Colony, it was wiser, under those circumstances, for the Colony to buy that sum at the reduced rate of interest which its credit would allow it to obtain, and to charge it to the Provinces, than to deduct so much from the provincial revenue to liquidate the debt. The object was to allow Provincial Legislatures to promote immigration and public works as much as possible. Starving them was the most foolish policy to adopt, because the poorer they were the poorer would be the Colony, which was only the aggregate of the Provinces. The Provinces would then be much better able to fulfil their colonizing functions. The Colony would nominally increase the amount of the debt, but it

would only be nominally, because the interest and sinking fund would be paid by those Provinces on account of which the money was borrowed. If honorable members considered the peculiar relations, as between the Colony and the Provinces, they would see that in adopting this plan they would proceed upon a sound financial policy. So much, then, as regarded the general plan. The particular items could be discussed separately. In regard to Mr. Busby's claim, the General Assembly, by Act, allowed a certain compensation to be paid out of lands in the Province of Auckland to Mr. Busby; a large amount was awarded by arbitration, but, for certain reasons, it was never carried into effect. The Assembly, however, recognized Mr. Busby's claim, and, by arrangement between the Province and the General Government, the award was foregone in consideration of his receiving £23,000. It appeared to the Government to be a wiser financial arrangement, that the amount should be borrowed by the Colony, and the interest and sinking fund charged to the Province, than that the whole amount should be paid out of the annual revenue of the Province of Auckland. The advance for the Wanganui Bridge was authorized by the Assembly; and in this instance, also, it had been considered better to make it part of the consolidated debt, and charge the interest and sinking fund to the Province. He could not say that, with regard to Otago and Southland, any injustice had been done. The arrangement was made in concert with the Provincial Government. It was clear that if the money could be paid out of the annual revenue of the united Provinces, which he doubted, the Provincial Legislature could not meet for a certain time, and, until it made an appropriation, there would be no means of paying the money; and, in this case again, he thought the Council would find that it was the wisest plan to make the amount part of the consolidated debt, and charge the interest and sinking fund to the united Provinces. Regarding the Otago Dock Trust Ordinance, 3 per cent. annual interest was saved to the Province, and, of course, to the Colony. He would not attempt to follow the honorable and gallant member, Colonel Whitmore, in his criticisms on the military policy of the present Government. This defence loan was not, in fact, a loan like that contemplated by the late Ministry. In the speech of His Excellency the Governor, in opening the last session, it was stated that an exceptional expenditure would be required for the conquest of a permanent peace. This, however, was not a loan for the conquest of a permanent peace. There was this difference: when war was going on they borrowed a war loan; and, in going into the money market under such circumstances, they would be regarded as occupying a different position than when they attempted to borrow in a time of peace for defence purposes for organizing a defence force. The position in which they would then stand in the eyes of capitalists would be very different. With regard to the general statement made by the honorable and gallant gentleman, of course he could hardly be regarded as standing

in the position of an impartial critic. No doubt the logic of the honorable and gallant gentleman's statements was good, but the logic of events was better. Instead of there being at the present time a necessity for an increasing war expenditure, it was decreasing; instead of there being wars and rumours of wars, and massacres and other barbarities, they heard of comparative peace and tranquillity and the restoration of public confidence. Of course, the honorable and gallant gentleman might have some special information which enabled him to say that Te Kooti was at the head of 100 men with ammunition, but that information had not reached the General Government.

The Hon. Colonel WHITMORE, C.M.G., asked if the Hon. the Colonial Secretary meant to say he was not aware of it?

The Hon. Mr. GISBORNE said he had not heard of it; but the stories about Te Kooti were so inconsistent with each other, and came from so many different Native sources, that he did not place much reliance upon them.

The Hon. Colonel WHITMORE, C.M.G., said that this information came from Europeans.

The Hon. Mr. GISBORNE said they were sometimes deceived as well as the Natives. With regard to the Native allies, he should say that instead of the Native allies having done so much under European command, and especially under so distinguished a commander as the honorable and gallant member, Colonel Whitmore, they did very little, whilst under their own commanders they accomplished a great deal. The general opinion of the country was that a great deal had been done, and he was content to rest upon that expression of general opinion. With regard to the constitution of the forces, it was true that they had not been under fire, and that we were not continually receiving elaborate accounts of their prowess, but they were being gradually constituted into a valuable force, and they certainly had been distinguished for good conduct wherever they had been placed in detachments. If the honorable and gallant gentleman had seen, as he had seen, on three different occasions, the difference in embarkation between the conduct of those men and of those who were sent to aid the honorable and gallant gentleman, he would have been much gratified, inasmuch as he would have seen that a great improvement had taken place with regard to discipline and general conduct; and though the pay might be high it would be money well spent if they got good men.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

TREASURY BILLS CURRENCY EXTENSION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that he would give a *resumé* of the operations which had taken place in respect to treasury bills since 1866. A sum of £150,000 was raised by an Act of 1866, extended by an Act of 1868 to the 30th Sep-

tember, 1870, and further extended, by an Act of last year, to the 30th November, 1874. Then, two amounts of £50,000 and £28,000 were raised by an Act of 1868, due on the 30th September, 1870, and extended, by an Act of last year, to the 30th November, 1874. Another sum of £150,000 was raised under an Act of last year, and was due on the 30th November, 1874. There remained another £150,000, which was due on the 30th November, 1874. It was proposed by this Bill to make that residue renewable so as to fall in on the same date as all the others, namely, the 30th November, 1874.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

PROVINCIAL ORDINANCES VALIDATION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said it was merely to repeal a former Act, and it was the intention of the Government to adopt such measures as would have the effect of preventing a recurrence of these Validation Bills. He was afraid that this appealing to the General Assembly for the validation of Provincial Bills, and making it a sort of validation machine, would have the effect of compelling the General Assembly to pass laws on the subjects on which the Provincial Legislatures were in the habit of legislating.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

PRIVILEGE.

The Hon. the SPEAKER announced that he had received a message from the House of Representatives, requesting that the Hon. Mr. Sewell and the Clerk of the Council be allowed to attend a Select Committee of the House of Representatives, to give evidence.

On the motion of the Hon. Mr. WATERHOUSE, it was ordered, That the message be referred to the Select Committee upon Precedents, and that a message intimating the same be transmitted to the House of Representatives.

RAILWAYS BILL.

The Hon. Colonel WHITMORE, C.M.G., moved, "That the order of the day for the second reading of this Bill be postponed until next sitting day," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	8
Majority for	...	...	...	...	11

AYES.

Captain Baillie,	Mr. Pillans,
Dr. Buchanan,	Major Richmond, C.B.,
Mr. Campbell,	Mr. Robinson,
Mr. Gisborne,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Seymour,
Colonel Kenny,	Mr. Stokes,

Mr. Lee,
Mr. Nurse,
Mr. Paterson,
Mr. Pharazyn,

Mr. J. P. Taylor,
Colonel Whitmore,
Mr. Wigley.

NOES.

Mr. Bonar,
Mr. Chamberlin,
Captain Fraser,
Dr. Grace,

Mr. Holmes,
Mr. McLean,
Mr. Sewell,
Mr. Waterhouse.

The motion was consequently agreed to.

THIRD READINGS.

The Kaiapoi Native Industrial School Grant Bill, the Mohaka and Waikare Districts Bill, and the Hawke's Bay Crown Lands Sales Bill, were read a third time, and passed.

The Council adjourned at twenty minutes past twelve o'clock a.m.

HOUSE OF REPRESENTATIVES.

Thursday, 8th September, 1870.

Bankruptcy Bill—Building Societies—Waitara Land—Marine Department—Privilege—County of Westland Boundaries Bill—Customs Duties Bill—Messages from the Legislative Council—Resident Magistrates Evidence Bill—Town of Gisborne Land Sales Validation Bill—Customs Duties Collection Bill—Appropriation Bill—Wairau Valley Road Bill—George Green Land Claims Bill.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

BANKRUPTCY BILL.

Mr. DRIVER wished to ask, without notice, whether it was the intention of the Government to proceed with the Bankruptcy Bill this session. The Government might also state, for the information of honorable members, what other measures they intended to bring forward.

Mr. FOX said the number of orders of the day were so few that they might be able that day to consider them and clear off the notice paper. There was one other Bill which the Government intended to bring down, arising out of the failure to pass the measure in the Legislative Council. He thought it was clear that, at the present period of the session, it would be impossible to carry the Bankruptcy Bill, but there were three or four clauses in the Bill which affected the position of a large number of bankrupt estates in Auckland, and there was an understanding among honorable members that those four clauses should be passed, to enable estates which were now vested in the dismissed trustee to become vested in the existing trustee. The Government were most anxious to see the Bill passed, but as it came before them at such a late period of the session, and from the character of the opposition brought against it, he was afraid it was not likely it would be passed this session.

Mr. CREIGHTON asked if there were not estates in other Provinces in the same position as those in Auckland.

Mr. FOX did not think there were.

BUILDING SOCIETIES.

On the motion of Mr. CURTIS, it was ordered, That the report of the Commission on Building Societies be printed.

WAITARA LAND.

Mr. CARRINGTON asked the Native Minister, By whose authority the land between the Bell Block and the Waitara was ordered to be surveyed into various sized sections, and given to the Natives? He would not make many observations further than to indicate his reason for placing the question on the notice paper. When the block of land was given back to the Natives, he had a claim upon it, and had made known that claim to the commissioner, who told him, in reply to his question, that he was going to give the land to the Natives. He informed the commissioner that, under an Act of the Imperial Parliament, the land belonged to him. That Act of Parliament Her Majesty's Ministers had submitted to the law advisers of the Imperial Government, for their opinion as to whether it was incumbent on the Crown to give the land to the person who held a land order in virtue of a particular section of land selected. Her Majesty's law advisers returned an answer to the effect that it was incumbent on them to do so. He had a document to that effect in his possession. He advised the commissioner not to give the land which he claimed to the Natives, as they would be quite satisfied without getting it; nevertheless, the land was given to them. It did not belong to them: he had indubitable proof that the land given to them was never owned by all who got it. He had surveyed some sections of that land, and some of the Natives declined to accept one particular section which was offered to them. They stated that it was not their land. He entered a protest against the land which he claimed being given to the Natives. He had never been able to ascertain by what authority the land was given to them. It was very valuable land, which never belonged to some of the Natives to whom it was given. He did not desire to embarrass the Government with his land question, but he had now waited for a period of thirty years without having taken any action in the matter to cause trouble to the Government.

Mr. McLEAN was sorry he could not supply the information asked by the honorable member. He believed the block referred to was confiscated land.

Mr. CARRINGTON.—It was not confiscated in the first instance; it was purchased twice over, and then finally confiscated.

Mr. McLEAN was quite aware that it had been purchased two or three times over, and confiscated afterwards. He could not find any record, in the office of the Secretary for Crown Lands, of the instructions issued to Mr. Commissioner Parris, by whom the land was given to the Natives. He could not find any document showing under what authority this was done; but he had no doubt that officer had authority from the Government at the time, instructing him to make the grant in favour of the Natives. Perhaps the honorable member

for Grey and Bell was aware of the circumstances, and would be able to answer the honorable gentleman's question.

Mr. RICHMOND said the land was part of the confiscated district, and it was awarded to the Native owners by an order of the Compensation Court. Mr. Commissioner Parris merely assisted the Natives to divide their claims. The block was given to a large number of claimants, and it was on condition that it would be surveyed into allotments by the Government that the Compensation Court did not award any more land than the particular block in question. The Natives subdivided it, and Mr. Commissioner Parris assisted them in doing so. The honorable member for Omata had himself made skeleton surveys.

MANAWATU BLOCK.

Mr. RICHMOND asked the Native Minister, Whether the Government have considered the petition of certain members of the Ngatiraukawa tribe, laid on the table on 4th August, and whether they intend to take any, and what, action in the matter; also, whether they propose to take any steps for paying the rents accumulated or due on the Rangitikei-Manawatu block, in conformity with the arrangements made by Dr. Featherston? The Ngatiraukawa tribe were interested in the Manawatu block, and, whether rightly or wrongly, they conceived themselves to be the victims of a surprise in the last proceedings of the Native Lands Court. They stated that they understood they were engaged in an endeavour to carry out an interlocutory order of the Court, when suddenly a new sitting of the Court took place, and their arrangements were upset by the Court. He believed the particular case in question was an exception to the general rule as to rehearing. He thought the Government could refer the case to the Court again, if they thought fit to do so, as it was not in the position of ordinary claims under the Native Lands Act. It would be advisable for the Government to say, finally, whether there was any possibility of their considering the complaints of the petitioners or not. He had occasionally received letters on the subject, and he wished for some public statement regarding the case. With respect to the rents, the Premier had informed him that the rents had been paid over, but it would be as well that an official statement to that effect should be made.

Mr. FOX said his honorable friend the Native Minister had left it to him to answer the question, as he had formerly a good deal to do with the subject referred to. With regard to the rents, he might state that the whole of the rents had been paid over to the Natives several months ago. He was glad to say that, contrary to the expectations of some honorable members, who at one time thought the General Government would lose the whole amount of those rents, being unable to obtain them from the squatters or tenants of the Natives, that at least two-thirds of the rents had been received from the tenants. Three of the tenants had not paid, but one of them had made great improvements on the land, which would be

a good security to the Government; in another case a compromise had been offered, which would probably lead to a satisfactory settlement, so that he might, indeed, say that there was only one case in which the rent would not be received. With regard to the petition of the Ngatiraukawa tribe, as it referred to a matter of some consequence, the House would bear with him while he spoke at greater length than usual in reply to a question. There were two or three very material allegations made in that petition. One or two of those allegations were of a character which, if they could be substantiated, would have put the commissioner, Dr. Featherston, and the Court who had sanctioned his proceedings in the matter, in an unsatisfactory position. It would have shown that they had acted with too much haste in the matter, and that the Natives had been misled as to the time for the sitting of the Court. The course which the Government would naturally have pursued in reference to an allegation of that kind affecting the Court, and the commissioner who appeared before that Court as representing the Government, would have been to refer the petition to Judge Maning, who sat alone in the Court, and asked that gentleman to furnish a report upon it. That was the course the Government would have pursued, but he was glad to say that, only the night before last, he had received a private letter, written by Judge Maning, on that very subject. This letter really did convey an entire answer to all the allegations contained in the petition referred to; in fact, it would only be necessary to convert that private letter into an official communication to make it a sufficient answer from the Government to the statements contained in that petition. He would read the portions of the letter which referred to the subject, and the House would see how completely they answered the allegations made in the petition. It appeared that Judge Maning had read the remarks in *Hansard* which fell from Mr. Travers, and which he (Mr. Fox) would take that opportunity of remarking were so nearly in the very words of the petition, that, although he did not imagine that that gentleman had prepared the petition, it was quite clear that the petition was prepared by some European who seemed to be exactly of the same mind as Mr. Travers on the subject. It was a somewhat remarkable thing that the petition contained almost the identical words used by Mr. Travers in the House. In commenting on Mr. Travers' speech, Judge Maning says:—

"The objections on which Mr. Travers lays the most stress are as follows:—

"1. That the Ngatiraukawa Natives were taken by surprise by the judgment, they having no notice of the intended sitting of the Court, and that they were, in consequence, prevented from coming to a satisfactory arrangement with the other parties concerned on the particular boundaries of the lands they were to have.

"2. That the Court had declared that there was no evidence which should cause it to limit the rights of the Raukawa hapu to any specified piece or pieces of land; and that, in consequence, the

Court, in giving the judgment of the 25th September, was adjudicating without any evidence as to the proper limitation of the rights of those persons who had been found to have rights.'

"To the first objection I have to answer that the Natives objecting were not taken by surprise. A short time was given them to come to an agreement as to the boundaries and locality of the blocks they were to have, and they were clearly informed that if they did not come to an agreement shortly, and during the time allowed by the Court, that the Court would decide the matter without any reference to their wishes and consent, as it was evident that their objections as to boundaries and localities were merely vexatious, and with the deliberate intention to procrastinate and to delay perpetually any final judgment being come to. Miritana, in particular, I can point to as being clearly informed to this effect, and he seemed to be satisfied with the decision, though he was afterwards most active in the opposition of the survey, but which I entirely believe he would not have been had he not been set on and encouraged by some Europeans in the most wicked manner.

"On the second objection, which Mr. Travers states to be the chief one, I will remark that, although he says the Court had declared it had no evidence 'which should cause it to limit the rights of the Raukawa hapu to any specified piece or pieces of land,' the conclusion he comes to on this is altogether a mistake. The whole tenor of the evidence, from beginning to end, showed that the rights of those hapus could not be defined exactly, or even approximately, by precise boundaries. They had territorial rights which the Court endeavoured, as nearly as possible, to compensate by adjudging to them certain areas of land, and the time given them to agree about the precise spots and boundaries was given as a favour, and with the consent of the other party, and from a consideration by the Court that it might lead to a peaceable and desirable arrangement of the matter, by giving the Raukawa a chance to obtain certain spots which they seemed attached to, or desirous to become possessed of, and which lands, or part of them, they seemed to have resided on, or used, more than others, but to which they could not show that they had an absolute right more than others. Failing the arrangement expected between the parties, the Court, in fact, by its judgment, left the Raukawa certain areas of land which would fall to them as soon as they would accept them by agreement with the other party as to localities and boundary. But at the last sitting of the Court it was stated by the agent of the provincial authorities and others that an actual final agreement as to boundaries had been come to, which statement was not distrusted at all; but as it was clear that every effort had been made, and would be made, to procrastinate and prevent a final settlement, the proviso was attached, that in case the survey of the lands, to the boundaries of which the Raukawa were stated in Court to have agreed, should be subsequently prevented or delayed by force, then, in that case, the survey would be dispensed with, which would

leave the Raukawa parties in the position, and very justly so, which I have stated above, and the other party, in the interim, in possession. But as to the position taken by Mr. Travers, that the Court could not adjudicate until an agreement had been come to between the parties, that would be as much as to say that the Court, by granting a short time to give a chance of the parties coming to an agreement about boundaries, had handed over to them its functions and authority, and was, in fact, to be bound to act under the dictation of the two parties, in case they came to an agreement; or, in case they came to no agreement, that the Court was not to act at all, which would be simply an absurdity, and a course I should never pursue, or acknowledge could be taken, and which was not taken.

"I have settled several more intricate opposed cases than the Manawatu case, and the Natives have always submitted to the decision of the Court, because I have been able to tell them clearly the reasons of the decisions, and show the right; and I am perfectly certain, in my own mind, that the Ngatiraukawa would have submitted quietly, if not with satisfaction, to the decision in the Manawatu case, if they had not been set on and led astray, in the most malevolent manner, by Europeans, whose action may yet end in murder and confusion—people who lead the Natives to think that the decisions of a Court are as nothing in comparison to their own truculent wills, and that, by persistence in opposition, they can carry their point at last. If there is one thing more utterly wicked than another it is this urging the Natives to resist what I feel convinced they themselves know is right, and a more favourable decision than they would have expected if left to themselves."

That was written as a private letter, but the Government would refer the petition to Judge Maning, and ask him to report upon it.

MARINE DEPARTMENT.

MR. HALL asked the Postmaster-General, Why the annual report of the marine department has not yet been laid upon the table of the House? The House was aware that for many years past the report of the marine department—which was charged with the administration of the Marine Act, under which the buoys, beacons, and lights on the coast were regulated, the authorization of pilots was regulated, together with various other matters connected with the marine service of the Colony, and the duty of which department it was, under the Passenger and Steam Navigation Act, to see that passenger steamers were seaworthy and in charge of competent officers—had been laid upon the table of the House. The officer in charge of that department had, for the last five years, sent in a report annually, containing a full statement of what had been done during the past year, the cost of administering the Act, and the revenue collected under it. They had no reason to suppose that that practice would be altered; in fact, from something that fell from the Postmaster-General in the early part of the session, he quite understood that the report would be pro-

duced in the usual course; but some observations that fell from the honorable gentleman yesterday led him (Mr. Hall) to believe that this practice was to be discontinued, and the usual information to be withheld from the public. He hoped that the honorable gentleman would be able to give some satisfactory explanation of the change which appeared to be intended.

Mr. VOGEL said the report had not been prepared on account of the amount of work which the head of the customs department had had since the marine department had been taken over by him. It would be remembered that the country had been deprived of the services of the late marine engineer through that officer's death in December last. It was not until late in the year that the marine department was handed over to the customs, and there was, consequently, a large arrear of work thrown upon the head of the customs, who then became the head of the marine department. A very large amount of work outstanding had to be disposed of, not the least of which was the putting up of three new light-houses, which had been successfully accomplished. It was quite impossible to prepare a report in time to lay it before the House during the present session; but a full report of the working of the department, since it had been transferred to the customs, would be prepared as early as possible, and it would either be circulated during the recess, or laid upon the table when the House met next session. He need not say that the death of Mr. Balfour had caused a disturbing influence in the work of the department. It was some time before the Government knew what steps to take, and they might possibly find that the present arrangements did not answer, the object of the Government being if possible to avoid the creation of a special marine department. If it was found that professional assistance was necessary, it would be better to procure it for the department than to place a professional gentleman at the head of the department.

PRIVILEGE.

Mr. FOX wished, as Chairman of the Privilege Committee, to inform the House that the Committee had met again that morning, expecting that they would have had the Hon. Mr. Sewell and the Clerk of the Legislative Council present, who had been requested, by message of that House on the previous day, to attend before the Committee. The Committee met at eleven o'clock, and sat until twelve, at which hour no intimation whatever had reached them from the Legislative Council. The Committee adjourned until next day. He had, therefore, under those circumstances, to move that an extension of time be granted to the Committee for bringing up the report. He was in hopes that the Legislative Council would furnish the House with some information as to the course they intended to pursue in the matter.

Motion agreed to.

The SPEAKER announced that he had received the following message from the Legislative Council:—

That the Legislative Council have taken into consideration the Messages 56 and 57, from the House of Representatives, which had been referred to a Select Committee, who had agreed to the following resolution relating thereto, which was transmitted to the House of Representatives for their consideration:—

"As the Messages Nos. 56 and 57, from the House of Representatives, refer to a Bill in the possession of the Council, and as it is a high breach of privilege for either branch of the Legislature to interfere, in any other than the regular and constitutional manner, in the proceedings of the other branch, the Council seeks to be informed upon the points upon which it is desired to examine the Hon. Mr. Sewell and the Clerk of the House, before it makes a final reply to the messages referred to."

Mr. FOX moved, That a message be forwarded to the Legislative Council, informing it that the matter respecting which the House of Representatives desires information from the Hon. Mr. Sewell and the Clerk of the Council, relates to a certain Bill passed by this House, intitled the Traquair and Stuart Hundreds Bill, which was passed in this House and forwarded to the Legislative Council on the 31st of August last. That members of this House have seen a certain document, professing to be such Bill as passed by this House, and having thereon the name of Mr. Macandrew as the promoter thereof, but which Bill was altogether different from the Bill so passed by this House. That a copy of the said fictitious Bill was shown to a member of this House by a member of the Legislative Council. That this House is apprehensive that there must have been some irregularity in the transmission of this said Bill to the Legislative Council, and are desirous of investigating the facts of the case, for which purpose they wish to examine the Hon. Mr. Sewell and the Clerk of the Council. The Select Committee of this House will sit to-morrow at 11 a.m., when it is hoped that the above-named gentlemen will be allowed to attend.

Mr. ROLLESTON thought the proper course would be to appoint a Committee to examine the journals of the Legislative Council. He believed that to be the course adopted in England. The House had nothing officially before it with regard to the Bill. From what he could gather, a mistake had been made which could scarcely be considered as a breach of privilege.

Mr. FOX said the question had already been referred to a Committee which was carrying on its investigation, and that Bill was one of the matters upon which the Committee thought it necessary to examine the gentlemen alluded to.

Motion agreed to.

COUNTY OF WESTLAND BOUNDARIES BILL.

Mr. VOGEL said that having yesterday moved that this Bill be discharged, it was necessary that he should give some explanation of the circumstances which induced him to take that course. A charge had been made against the Government of a breach of faith in the matter, and a course

of obstruction had been adopted, in reference to which honorable members on all sides of the House had, he believed, been disgusted—perhaps that was too strong a term, but it was one which expressed the feelings of honorable members on the occasion referred to. He would relate, as far as he could, the circumstances which attended the introduction of this Bill. On or about the 20th July, the honorable member for Westland Boroughs (Mr. W. H. Harrison) and the honorable member for Westland North (Mr. Kynnersley) did him the honor to wait upon him, as a deputation, in connection with a change in the constitution of the districts between the Grey and Teremakau Rivers. He understood that the honorable members' recollection did not tally with his (Mr. Vogel) as to what took place at the interview, but he adhered to what he had already stated with reference to it. The honorable member for Westland North said that he was unable to make the recommendation that a part of the County of Westland should be transferred to the Province of Nelson—that it was impossible for him to make such a recommendation—and he (Mr. Vogel) had also a recollection that the honorable member said if the Grey district was joined to Nelson, it would only be for the purpose of afterwards stealing a large slice of Nelson. He told the honorable member that it was impossible for the Government to accept any proposition of the kind, and that they could not be a party to establishing an organization for the purpose of disturbing the established boundaries of the territorial divisions of the Colony. It was a proposition which none but a very inexperienced member of the House could have made. The recommendation of the honorable member for Westland Boroughs was, that the boundary of the Province of Nelson should be transferred to the Teremakau River. The honorable member said he would address a letter to him (Mr. Vogel), embodying in writing his representations, and he (Mr. Vogel) should refer to that letter in corroboration of his recollection of what took place at the interview. The honorable member for Westland North was not a party to that recommendation. A letter was afterwards addressed to him by the honorable member for Westland Boroughs. He asked the honorable member in common fairness to say whether his account of the interview was not a correct one?

Mr. W. H. HARRISON thought it was hardly a fair position to place him in.

The SPEAKER.—The honorable member is not bound to answer if he does not wish to do so.

Mr. W. H. HARRISON said the statement of the honorable gentleman was in the main correct. He thought that the honorable member for Westland North did say, that if the district were to be attached to the Province of Nelson, there would be an agitation for separation from that Province next year.

Mr. VOGEL said the honorable member did not see the point. The honorable member for Westland North accused him (Mr. Vogel) of a breach of faith. The only interview he had with

the honorable member on the subject was on the occasion now spoken of. If the honorable member did not make the recommendation, as he (Mr. Vogel) had asserted, he did not see how there could be a breach of faith in the matter, seeing that the honorable member had become a convert to the proposal to hand over the district to the Province of Nelson. Then he received a letter from the honorable member for Westland Boroughs, addressed to him as "Dear Sir." He spoke to the honorable member about his having addressed it in that manner, and asked if it was a public letter, to which the honorable member replied affirmatively, and told him he might so regard it. The general object of the letter was to support the prayer of the petition; and it also represented that the Chairman of the County Council of Westland was a very unfit person for the office he held.

Mr. W. H. HARRISON.—That is not what I have stated—that he is an unfit person to hold the office of Chairman.

Mr. VOGEL.—Am I at liberty to read the letter?

Mr. W. H. HARRISON.—The honorable member may read that part of the statement—he may read the whole if he thinks fit.

Mr. VOGEL.—A portion of the letter is rather intemperate.

Mr. W. H. HARRISON.—The honorable member is at liberty to treat it as an official letter. I ask the honorable member that he would read the whole letter.

The SPEAKER.—The honorable member for Westland Boroughs will have an opportunity of replying. I think it would be better if the honorable member would speak more generally on the subject, and not speak to other honorable members, which causes them to make interpolations.

Mr. VOGEL.—Every honorable member is interested in a charge of breach of faith.

The SPEAKER.—I think the matter may be debated without provoking answers and rejoinders on the part of honorable members. I wish to see the debate conducted in the usual manner.

Mr. VOGEL said he should be sorry if he had conducted the debate in an irregular manner; but it was desirable that they should clear up this matter, so that there should be no contradiction afterwards. If Mr. Speaker would not object, he should like to show this part of the letter to the honorable member before reading it. [The honorable gentleman showed the letter to the honorable member for Westland Boroughs, and afterwards read it to the House.] The honorable member made a report to the Government, that in consequence of the agitation existing in the Grey district for annexation to Nelson, the Chairman of the County and the Council were disposed to make away, with a view of retaliation or something of that kind, with a large portion of the coal reserve in the neighbourhood of the Grey River. Inquiries were made, and it appeared that an application had been sent in, and been entertained more or less favourably by the Council, but it had been abandoned. A day or two afterwards, the

honorable member made still stronger representations that the Chairman of the County was disposed to use improperly his delegated power under the Gold Fields Act, in the way of granting what were called protections or rights for constructing roads and bridges. Those representations were so strong that he (Mr. Vogel) took the extraordinary course of telegraphing to the Chairman of the County Council to the effect, that unless he sent up an assurance by telegram, immediately, that he would not exercise his delegated powers in any but the ordinary manner, they would be at once withdrawn. He was bound to say that, as far as he had been able to ascertain since, the representations were altogether a mistake; that the charge against the Chairman was one which circumstances did not warrant; and he felt very much regret that he had been led to take such an extraordinary course. The Chairman came to Wellington, and he (Mr. Vogel) expected to meet a person brutally ignorant, and sanguinary in style and manner; but he felt bound to confess, from the slight acquaintance he had with that gentleman, that he had quite as much ability as members of Provincial Councils were generally possessed of, and as members of this House or the other House ordinarily possessed—in fact, that he was a colonist of average ability. The Chairman, in answer to the telegram, sent back at once a message to the effect that the Government was entirely misinformed in supposing he had any idea of using his delegated powers in any unusual manner. In consequence of the strong representations of the honorable member, he (Mr. Vogel) told him that the Government were prepared to bring in a Bill to alter the boundaries of the County of Westland, and he believed the Bill had been printed and circulated; but he denied altogether that, in telling the honorable member that such was the intention of the Government, he entered into any contract whatever. The honorable member had not told him that he himself intended to bring in a Bill, and the fact was that he took independent action in the matter, because he moved for a Select Committee without consulting him (Mr. Vogel) at all on the subject, thus showing that he was not acting with him. If the honorable member had had any assurance with which he was sufficiently content, he would not have moved for a Select Committee. Subsequently, the honorable member did him the favour to address him a letter suggesting the name of the gentleman who should be appointed the nominated Chairman of the County Council of Westland. It was entirely without the knowledge of the gentleman that the recommendation was made, so that he (Mr. Vogel) did not think the name should be stated. At the same time, he did not like the idea of honorable members moving in matters in the way the honorable member moved in this, and speaking of the County of Westland in a manner certainly not very respectful, especially considering that at the last election the honorable member was himself a candidate for the chairmanship, and that the Council elected another gentleman, and

that the honorable member had taken part in the proceedings of the Council very recently. The recommendations of the honorable member, backed by a desire to take his district out of the County, and his suggesting a gentleman whom the Government were to appoint as the nominated Chairman of that portion of the County which he was going to leave, were circumstances which produced in his (Mr. Vogel) mind the impression that the honorable member looked upon the whole of the present County as a district created by Providence for him to reign over. Before going on with the Bill, he (Mr. Vogel) consulted with the Superintendent of Nelson. It seemed to him that they were in this position: there was an application from a small portion of the County of Westland to be taken out of that County, which would leave the rest of the County in a state so impoverished, as to necessitate its coming up to the House as a suitor for a special consideration. The other portions of the County did not desire to see the Grey district taken out; and it struck him that if the Nelson Province did not desire to receive the Grey district, they would be left in the position that merely a small portion of the County desired to benefit its condition. The House had uniformly set itself against proceedings of that kind. It was not unusual for certain territorial divisions of the country to fall into difficulties, and to recognize the adage about rats deserting the sinking ship. Supposing the honorable member for Timaru and the honorable member for Gladstone came down to the House, and said, "We insist upon being taken out of Canterbury, and added to Otago," but Otago said, "We will have none of you," while Canterbury said, "We do not want to part with you;" and supposing those gentlemen said, "If you don't take us from Canterbury, look out, we will seize your court-house, and perhaps do worse than that,"—which was a threat used in the House on the previous day. He thought that would be looked upon as rather an extraordinary line of conduct to be taken. Then they had very strong representations from the County of Westland against the union. The honorable member for Westland South, and an honorable member in another place, came from that district, and were both averse to the Grey district being taken out of the County. As far as he was aware, the honorable member for Westland North desired only to see another County formed by taking a part of Nelson and a part of the County of Westland. Well, it remained to be ascertained what were the views of the Province of Nelson. He found the Superintendent of Nelson, with his usual astuteness, prepared to "do the thing at a price." He said he would take the district with £50,000 of liabilities, but he could not consent to any arbitration whatever. After a great deal of difficulty, he got the honorable member to advance by £10,000, and to say that he would accept the district with £60,000 liabilities, which arrangement he thought would meet the views of the County of Westland. That £60,000 was not only to cover the share of the debt of the County of

Westland, but also the share of the annual liability for the maintenance of the Christchurch road. The honorable member was very reluctant to accept the price at £60,000, but he gave him (Mr. Vogel) to understand that he would rather accept it than see the Bill thrown out. But his (Mr. Vogel) attention was subsequently drawn to the report of a commissioner despatched by the Government of Nelson to investigate the subject, and he found that that commissioner had come to the conclusion that £60,000 was the lowest amount of the debt of the County of Westland which the Province of Nelson should bear, and that that was exclusive of the liability which the new Province should bear on account of the Christchurch road. When he (Mr. Vogel) saw that, and when he also saw that the commissioner had a very high opinion of the new district, what could he think? The commissioner reported as follows:—

"1st. That the revenue of the district north of the Teremakau is likely to be permanent, and has even increased largely of late.

"2nd. That the necessary expenditure, including the heavy liabilities on account of interest and the maintenance of the road to Christchurch, is still so far within the actual yearly income that a balance of several thousand pounds is available annually for roads, bridges, and other public works, leaving a considerable margin to meet provincial charges and extraordinary contingencies.

"3rd. That the amalgamation of the various departments with those of Nelson would add largely to the efficiency of the Government on both sides of the Grey.

"4th. That a considerable money saving would be effected thereby.

"5th. That the district in question would well repay a moderate outlay on roads and bridges.

"6th. That there are but slight grounds for supposing that the Province of Nelson is injured to any appreciable extent by the present system of dividing the gold duty with the County of Westland."

Under those circumstances, were they to leave the Province of Westland in a state of debt, with some £14,000 overdraft—in a state in which it declared it would be unable to meet its annual liabilities, and would be compelled to come to the House for assistance—were they to take away from Westland a district which, according to the report of the commissioner sent from Nelson, would not only be able to pay some £60,000 as its share of the County of Westland debt, but also to pay a contribution to the Christchurch road, be able to spend several thousand pounds on roads and bridges, and have a margin to contribute to the provincial charges? Were they to take away all that, and leave the County of Westland in a more than impoverished condition? The Government were, then, not in possession of information sufficient to enable them to come down to the House and make any representation on the subject. He told the honorable member, the Superintendent of Nelson, that he must consider the Government were released

from any understanding as to accepting the £60,000 arrangement. He (Mr. Vogel) was not disposed to bring in a Bill with an arbitration clause, because he held that such clauses were exceedingly unsatisfactory, unless the arbitrators were told the bases upon which they were to decide; and it was not the duty of the Government to advise the House, much more to put into a Bill, what they conceived to be the proper grounds of arbitration. He asked the honorable member whether he was anxious to see the Bill gone on with this session, and the honorable member replied, very fairly, that, as far as he was concerned, he would prefer seeing the Provincial Council consulted in the matter. Then, what remained for the Government to do but to withdraw the Bill for the session? If any honorable member had objected to the Bill, the Government could not, of its own knowledge, state any grounds for its passing, but could only refer to the report of the Nelson commissioner, and say that those were the terms upon which the Province of Nelson absolutely declined to receive the portion of country. There was no manner of agreement whatever, and the Government could not have done anything but what they had done. He told the honorable member for the Westland Boroughs, that the Government had not sufficient information on the subject, that he believed they would have to withdraw the Bill, and that they would appoint a Commission during the recess to examine into the whole subject. He told the honorable member, also, although he had been a uniform opponent of the Government during the session, the Government would have very much pleasure in asking him to act upon the Commission. The honorable member went away perfectly satisfied, he thought; but subsequently he (Mr. Vogel) received a letter which was framed in very strong language, objecting to the course the Government pursued; and he was still more amazed at the action subsequently taken in the House by that honorable member and the honorable member for Westland North. The opposition of the latter honorable member appeared to him to be rather gratuitous, as he never had any communication with him on the subject except on one occasion, when his impression was, that the honorable member did not indorse the prayer of the petition. There was a Select Committee appointed to examine into the subject. That Committee had before it the report of the Nelson Commissioner; and at the only meeting of the Committee, there was adopted a resolution which was moved by the Superintendent of Nelson, to the effect, "That, after the consideration of the petition of the inhabitants of the Grey Valley and Teremakau district, and the report of the commissioner appointed by the Superintendent of Nelson upon the subject, the Committee are of opinion, and recommend to the House, that the prayer of the petitioners be complied with." There was a division on the occasion, Mr. Gillies, Mr. Harrison, Mr. Curtis, and Mr. Kynnersley, voting for the proposal, and Mr. Richmond, Mr. Barff, and Mr. Stevens,

against it. There was another resolution moved by the honorable member for Grey and Bell, which, as far as he could understand, was to the effect, that the two districts should be united as a separate County. The honorable member voted for the resolution, that the districts on each side of the Grey River should be one, but he voted against the annexation to Nelson. There were four members for the second resolution, and three against it, and if he had been present he would have voted with the minority, so that there would have been an evenly balanced vote. As far as the Superintendent of Nelson was concerned, he certainly understood that that honorable member preferred that the Bill should be withdrawn for the session, unless the Government were prepared to accept his proposal with regard to the £50,000. But it was clearly impossible to recommend the House to do that with such information as they at present possessed; therefore he took it, that notwithstanding the Superintendent of Nelson moved the resolution, he approved of the Bill being withdrawn. Those were all the circumstances of the case. The House was not in possession of any information which would show that the proposed division of the County was desirable. Of course, there were a great many inconveniences, as had been pointed out, besides the maladministration of government, which, if the honorable member would allow him, he would say was not true altogether. They might admit that the County had got into difficulties and was not very provident, without saying that there had been any special misconduct on the part of those concerned in the government, which, in his opinion, was very queer and anomalous.

Mr. STAFFORD said the constitution of the County was assimilated to that of the Provinces.

Mr. VOGEL.—It had all the faults of the Provinces, without some of their redeeming virtues. It was a toy for which the country would have to pay. It had been complained that inconvenience arose from having a populous district on each side of the boundary line. That was an inconvenience which might arise in any country, and the only way to get over the difficulty was, not to choose a navigable river for the boundary line, but, as far as possible, an impassable land division; yet the proposal of the honorable member for the Westland Boroughs was to substitute for the present boundary line—the Grey River—another river, the Teremakau, which was equally navigable, and which, at some future time, might have a populous township on each side, so that there would be again the same difficulty. He believed they could obtain a very well defined land division in the Razor Back. That was an opinion expressed to him by the Hon. Mr. Bonar, who was thoroughly acquainted with the district. He would conclude by saying that the Government were sincere in bringing down the Bill, believing that there were sufficient grounds for doing so, and feeling as they did that they could make up to the County of Westland for the loss of territory, by such additional assistance as the House would afford; but the more they looked

into the matter, the less necessity did they see for pressing the Bill. If they had gone on with it, they felt that there would be no possibility of being able to answer questions upon their own information. It was felt by the Government that the only course open to them was to appoint a Commission during the recess, to examine into the Government of Westland, and the circumstances under which it might be desirable to alter the northern boundary of that County, so as to come down next session with a distinct recommendation upon the subject. If he had succeeded in vindicating the Government from having acted a fickle part, and had shown that there had been no breach of any pledge made—for the honorable member had no right to state that a pledge had been given upon the subject—and that they had not acted a capricious part in withdrawing the Bill, he was satisfied. He had addressed the House at an unusual length considering the period of the session, because he believed the House had every right to expect from the Government a vindication of the charges which had been made, and upon which such extraordinary conduct was based, as they had witnessed the previous day. He would move that the order be discharged from the paper.

Mr. BARFF, in seconding the motion, said he had never been more surprised than on hearing the contents of the letter which had been read by the Colonial Treasurer. He believed it would not be quite parliamentary to say that it was a disgrace to any member of that or any Parliament to write such a letter.

The SPEAKER said that the honorable member was not in order in making use of the expression.

Mr. BARFF would not use the expression if it were out of order, but he would say that the letter was no credit to the honorable member for the Westland Boroughs, or to any gentleman who could write such a letter concerning a public body of which he was a member. In the statements contained in the letter the writer had made no allusion to him (Mr. Barff), but he felt bound to vindicate the Council against such charges as had been made against them. The honorable member had stated in that letter, and he would seem desirous of impressing the Colonial Treasurer with the fact, that the present Chairman of the County of Westland was miserably unfit for the office he held. He (Mr. Barff) believed that the affairs of the County could not have been better administered by any one. It was one thing to be in office, and another to be out of it. It was quite different to be in the cool shades of opposition and to be in the possession of power. If the honorable member were himself in a position of authority, and had to contend with circumstances of peculiar difficulty in the administration of important affairs, he would find that it was one thing to administer affairs and another to talk about them. He challenged the honorable member who made the statement, or any other honorable member, to say that there had been a single act of maladministration on the part of the Chairman of the County Council of Westland. When

that gentleman took office he had a very difficult and onerous duty to discharge. From his own knowledge, that gentleman had worked harder in the administration of the affairs of the County of Westland than any administrator with whom he had had an opportunity of coming in contact. He believed he had worked to the very best of his ability for the County. Although his manner might be peculiar when gentlemen tried, he would say, to humbug him, and endeavour to worm little official secrets out of him, he (the Chairman of the County) was quite sharp enough to give such people the cold shoulder. As to the charge of mal-administration, it had been a surprise to him and others how the present Chairman had made himself so well acquainted with the affairs of the County, and administered them so well under the peculiar circumstances in which he found himself placed. The County was in great difficulties when he entered upon office, and those difficulties were increased in consequence of certain defalcations which took place in the treasury before he took office. The irregularities which had occurred were not attributable to the present Chairman of the County. They took place before he was appointed to the office, and he had worked diligently and to the satisfaction of a very large majority of the inhabitants of the County of Westland. It appeared to him (Mr. Barff) that the statement of the honorable member for Westland Boroughs, to the effect that the Chairman of the County of Westland was acting in a partial manner with regard to the coal reserve at the Grey, was not true. It had afforded him unmingled satisfaction to hear from the Colonial Treasurer that there were no grounds for the statement made by the honorable member for Westland Boroughs. He had made inquiries in reference to the matter, and he found that some months ago, when the Council was sitting, Mr. Kilgour, mayor of the Greymouth corporation, made application for a lease of a portion of the coal reserve for a period of thirty years. The Council did not grant the lease, but made a report that was favourable. The Chairman had nothing to do with the matter. Therefore the statement was incorrect. He had not acted in a partial manner, but had simply not interfered in any way. The remarks generally contained in that letter in reference to the Chairman, contained many statements of such a nature that he was afraid he could not refer to them without making use of unparliamentary language. The letter itself was unparliamentary. He had now done with that portion of the question, and he would next proceed to say a few words upon the history of the annexation, or separation movement as it was called. It was a very instructive one, and if it had not been attended by such peculiar results, would be an amusing one. For the last four years a few people in the Grey district had been agitating for annexation or separation in some form or other, but the peculiar feature of the case was, that the movement did not always assume the same form. He was not in a position to say that all the petitions presented on the subject were written by one

and the same individual, although it was his belief that they were. He found that some of those petitions were opposed to one another; they were, nevertheless, in his opinion, written by one man, and signed by him. The first petition that was sent up from the Grey district was in the year 1867. It was a petition which was numerously signed, and it asked for annexation to Nelson. He believed that that petition was brought up by the honorable member for Westland Boroughs, who was then not a member of the House, but he came up delegated by the people who had signed the petition. The honorable member arrived three or four days after the session had ended, and therefore no action was taken upon the petition that session. That was asking for annexation to Nelson. Another petition was sent up in the year 1869. The prayer of that petition was as follows:—

“That your honorable House, having recognized the principle of local self-government, your petitioners humbly pray that your honorable House will extend to your petitioners those powers and privileges which will enable them to administer their own affairs to the advantage of the district, and the benefit of the Colony generally.”

That was separation pure and simple. He could only say with regard to it, that when it was referred to the Public Petitions Committee, the honorable member for Nelson City (Mr. Curtis) paid considerable attention to the petition, and examined the signatures, many of which he discovered were not to be relied upon. On that account the petition fell to the ground. In that petition there were a great many statements which did not harmonize with the petition now before the House. One clause was as follows:—

“That the division of the revenue has been the means of seriously retarding the occupation and settlement of the district, the Provincial Government of Nelson having expended but a very small amount of the revenue it derives from the district upon beneficial public works.”

It was somewhat ridiculous that gentlemen should prepare a petition and succeed in having it numerously signed, complaining that Nelson had not done them justice, and that they should now come forward and seek to become annexed to it. Another clause was to the following effect:—

“That extensive and costly works for improving the navigation of the port have been constructed at the sole cost of the corporation of Greymouth, and that the Nelson Government have refused to contribute towards the cost of such works.”

This was in itself direct proof that the people of Greymouth were not satisfied with the administration of affairs on the part of the Nelson Provincial Government, but were under the impression that the action of that Government had had an injurious effect upon the gold fields of Nelson. He did not wish to be understood to say a single word against the Nelson authorities, but it was a singular fact that the people on the Nelson gold fields had held indignation meetings a few weeks previously, with respect to the mal-administration of affairs, as it was termed in that district. It was only a few weeks ago an indigna-

tion meeting was held, and resolutions were agreed to at that meeting, in which the greatest indignation had been expressed against the Government, on account of their not having constructed the necessary roads to connect the mining centres of the gold fields of the Province. A petition had been forwarded to the Governor, by the people on the Nelson gold fields, asking that the delegated powers should be withdrawn from the Superintendent of the Province of Nelson, and he thought it was a very fair argument, when he said that, as the diggers of the Nelson gold fields were not satisfied with the present administration, if the inhabitants of the Grey Valley obtained annexation, they would soon be again crying out against their new rulers, as they were now against their present. The people of the Grey had been for a long time agitating for annexation, and their grievance, about which very strong language was used, would appear to be owing to the people of the Grey district being under the impression that they had not obtained a fair share of the expenditure of public money. That misapprehension had been removed by a return prepared in the treasury, which showed that in the Grey district there had been a larger share expended than in any other district. The honorable member who had prepared the petition, had endeavoured to make it appear that there existed in the locality a very strong feeling in favour of annexation. They all knew what it was to get petitions signed. As long as gentlemen were not asked to pay any money they were prepared to sign anything, and it was not to be wondered at if the gentleman who took round the petition obtained a large number of signatures, more particularly as he was paid for doing so.

Mr. W. H. HARRISON.—No.

Mr. BARFF.—He was to be paid according to the number he got.

Mr. W. H. HARRISON.—No; but the honorable member is perhaps in the habit of hawking about petitions, and knows something of the payment he refers to.

Mr. BARFF.—The honorable member stated that the person who collected the names was to be paid for them.

Mr. W. H. HARRISON.—I deny that.

Mr. BARFF said that the honorable member, Mr. Curtis, and the honorable member for Westland North were present when the statement was made. He had asked how signatures were obtained, as some of the names were found to be certified. He (Mr. Barff) had asked who had taken the trouble to certify to the signatures, and he was informed by the honorable member that the work had been paid for. If he were not trespassing too much upon the time of the House, he would read an extract from the report of one of the so-called indignation meetings. The meeting in question had been called by the honorable member for the Westland Boroughs, at Cobden, and persons from Greymouth and Nelson were supposed to attend it. The following account of the meeting would give the House an idea of the mild form of the proceedings. The extract was from the *Grey River Argus* of 13th May, 1869. It would be

seen that there was nothing of the furious and revolutionary spirit intimated by the honorable member for Westland Boroughs. The extract was as follows:—

"The meeting was called for eight o'clock, and at that time the Greymouth visitors sat waiting, in the snug parlour of host Hamilton's, for the mustering of the Cobdenites. At half-past eight, none of the denizens of the City of Cobden had put in an appearance, and it became evident that it was desirable for the Greymouth visitors to assume the initiative, and take their places in the room appropriated to the meeting. Accordingly, the genial influences of the fire and excellent toddy of the landlord were exchanged for the less comfortable conditions of the long room. There, however, the assembled public (consisting exclusively of some dozen Greymouth folks) had to wait for what appeared to be an indefinite period for the appearance of the Cobden inhabitants. The question arose as to whether there were any inhabitants at all; but this idea was dispelled by the furtive appearance of certain heads, the anxious eyes of which peered for a moment into the room, and then disappeared. Here was a fix—a public meeting and no public! At last it was proposed that two of the most athletic persons in the room should go out into the highways and hedges, and 'compel' them to come in, but this plan was only partially successful, one solitary (and he looked so) individual falling a victim to the prowess of the emissaries. He, however, although compelled 'by force of arms' to come in, went out as speedily as possible, the possibility occurring just at the time the backs of his captors were turned against him. Another lull, and then it was proposed that those present should propose to carry their own resolution, but this was overruled, and the end was an adjournment *sine die*."

That was the report of the great and furious meeting initiated by the honorable member. He had no doubt that most of the other meetings were of a similar character. That was no expression of public opinion. A large majority of the inhabitants of Westland were in favour of maintaining the unity of the County. He was very glad to have heard the Colonial Treasurer state that the Government were not prepared to take such steps as would prevent the County discharging the ordinary functions of Government. The perpetual cropping up of the question of separation had a very bad effect. The whole secret of the matter was simply petty local jealousies. There were local jealousies in all districts, and Greymouth was no exception to the rule. He believed that if the prayer of the petition were granted, the grievance would not be abolished, it would only be transferred. The Colonial Treasurer was correct when he stated that the honorable member for Westland North did not wish for that portion of the Grey being annexed to the Nelson district. He believed that such a proceeding would only lead to further complaints. He did not think it advisable at that time to enter into the whole question of the equities of the case. If the Bill before the House was likely to be passed, he would be

able to show that it was altogether an unsuitable measure. Before he sat down he might state, in reference to the sneers that had been levelled at County institutions, and despite the attempts which had been made to vilify the members of the County of Westland Council, that their labours had been to a great extent successful. He could show that the County Council of Westland had made the most of the means at their disposal. There had already been constructed in Westland no less than 102 miles of dray roads, sixty miles of horse tracks, and twenty-nine miles of tramways. The Council had done a great deal for the district, and he only regretted that they had not the means to do more. If a comparison were made between the results of the working of County Councils and Provincial Councils, he believed it would be much to the advantage of the former. As far as his own knowledge went, he could say that the County system had been a success, and would continue to be so if allowed to work out its destiny. The people of Westland were a young and vigorous community, and he hoped that no hurried action would take away from them the benefits which had accrued from local self-government. He was sorry that the honorable member for Westland Boroughs had made such mis-statements about the County Council, and the Chairman of that body. To his own knowledge, the local affairs of Westland had been administered in as perfect and as satisfactory a manner as was possible.

Mr. W. H. HARRISON said it was not his intention to detain the House at any length, but would simply confine himself to an explanation of the reasons why the honorable member for Westland North and himself had taken the course they adopted on the previous day, and a statement of the communications he had had with the Government on the subject under consideration, and the reasons why the measure had been brought forward. The explanation which the Colonial Treasurer had given of the various stages of those communications was correct in the main, but it was a one-sided statement, and he should endeavour to point out where the honorable gentleman had failed to give an exact description of what had taken place, and did not interpret exactly the views of the Government at that time. When the petition was sent up to him he deemed it to be his duty to bring the matter under the notice of the Government, and privately to consult with them as to the best means of giving effect to the prayer of the petition. It had been stated that the honorable member for Westland North and himself had waited upon the Government. He afterwards addressed a letter to the Colonial Treasurer, in which, had he been led to understand that it would have been regarded as an official letter, he would have been more guarded in the expressions he used in it. He did not regret that the letter had been written or that it had been read. He had possibly used strong language in the letter on certain matters, but the fact of that letter having been read would almost save the necessity of his making a speech on the subject. After he had sent the letter to the Govern-

ment, he was spoken to by the Colonial Treasurer, who did him the honor to compliment him upon the letter, and stated that the letter was a very good one, and he led him to understand that the Government considered the suggestions he had made valuable ones. The Colonial Secretary also spoke to him in similar complimentary terms. During a subsequent conversation, the Colonial Treasurer had told him it was the intention of the Government to bring in a Bill to attach the Grey district to the Province of Nelson, and to make the alteration proposed as regarded the nomination of the Chairman of the County of Westland. Nothing was then said about the insufficiency of the information; on the contrary, the honorable gentleman appeared to be fully aware of the necessity for making the change. And if anything were needed to show that the Government were aware of the necessity for the change, he would refer honorable members to the speeches made by the Premier during the recess, in which he referred in the most contemptuous terms to the administration of the County of Westland. The honorable gentleman, in the speech which he made at a public meeting in Dunedin, expressed himself in the most contemptuous terms with respect to the administration of Westland.

Mr. FOX.—Will the honorable member quote the words I used; I do not recollect having spoken in such terms. The reports of my speeches that appeared in the local papers were far from accurate. I would like the honorable member to quote the words I used.

Mr. W. H. HARRISON had not the report before him, and could not quote the words used by the honorable gentleman. When the officer who had drafted the Bill showed him a draft of it, he (Mr. Harrison) had a right to believe that the Government were acting with him in the matter, and he had made one or two suggestions to the gentleman who had drafted the Bill. Shortly afterwards the Bill was circulated. The Hon. Mr. Bonar, the honorable member for Westland South, the County Chairman, and himself, waited upon the Colonial Treasurer, and when the honorable member for Westland South ventured to make some remarks to the Government with regard to the appointment of a nominated Chairman, the Colonial Treasurer hinted, in as delicate a manner as possible, that the Government recognized the fact that there was a great want of administrative ability, and that it would be better that the person holding the office of Chairman should be nominated, and that it was the intention of the Government to bring in a Bill to that effect. It was not until Tuesday night last that he (Mr. Harrison) had any idea that it was the intention of the Government to abandon their proposals. The Colonial Treasurer then told him that it was too late to bring forward such a measure, that it would give rise to long discussions, and stated that the difficulty in the passing of the Bill was with regard to the apportionment of the liabilities between Nelson and Westland. Those were the only reasons alleged. There was no valid reason whatever

for not proceeding with the measure. He did not like to say that the Government had committed a breach of faith in the matter, but if a different course had been taken it would have been more in accordance with what had passed previously between himself and the Government. With regard to the petition presented, he might state that the circumstance which gave rise to that petition was not one of those spasmodic actions which sometimes took place in different parts of the country, but the result of long dissatisfaction which prevailed among the people. When the separation from Canterbury was proposed, the people of the Grey district refused to take any part in the movement. Those persons who were strongly in favour of the separation, despatched the honorable member for Westland South as a delegate to the district. The honorable member held a public meeting at Greymouth; it was a largely attended meeting. They gave the honorable member a fair and patient hearing, but the resolution was hurled in his teeth; the people of the district refused to join in the movement for separation from Canterbury, because the separation did not contemplate any alteration of the vexatious boundary.

Mr. BAREFF.—The reason why that resolution was carried, and the reason given by the people of Greymouth for not accepting my proposal was, that the Separation League, as it was called, did not communicate their intention soon enough to the Greymouth people, and they had already started an agitation on their own account.

Mr. W. H. HARRISON.—The petition sent up in 1869 had for its object an opposite direction, namely, to extend the County of Westland, but it was simply for the purpose of putting an end to the boundary question. It was determined by the promoters of the last petition that there should be no possible opportunity afforded of impugning the character of that petition. A Committee was formed, consisting of the most respectable merchants in the place, and one or two gentlemen, at great personal inconvenience, went to various districts to obtain signatures, and the utmost care was taken so as to render it impossible to impugn the veracity of the signatures. The fate which that petition received was owing to no fault of the petitioners. It would take more time than he should think of occupying, to point out the innumerable reasons why the present boundary between the County of Westland and the Province of Nelson should be abolished. It was not the mere annoyance which miners might suffer with regard to paying double miners' rights, nor of persons having to pay extra for their licenses, but it was in matters of much larger importance that the boundary line acted prejudicially. It was most detrimental to trade. The Grey was partly in Nelson and partly in Westland, and the miners were continually crossing backwards and forwards, and they were obliged to pay extra taxation in the County of Westland. The Nelson Government was compelled to make roads on the worst side of the river, along a steep bank, at great expense, whereas they could make an

excellent road on the Greymouth side. With regard to the development of the coal field, it required to be in the hands of one administration. A great many persons might say that the proposal to annex the Grey to Nelson was a childish one, but he knew it was a positive fact that the likelihood of the Bill being passed this session had raised the price of property in the town of Greymouth, and the Bill being shelved would be an intense disappointment to the persons living in that district. With regard to the difficulty the Colonial Treasurer fancied he saw in the way of settling the question of the indebtedness of Nelson, and the objections raised by certain people of Nelson, he might state that, before the gold fields were discovered, the debt of Nelson had all been contracted, and from no portion of which did the inhabitants of the gold fields receive any benefit. At that time the population of Nelson was 13,500, and the debt amounted to £65,000. If the population of the Grey district and the gold fields were added, they would have an additional population, and the same proportion of debt. The "old identity," as they were called, would be in no worse position. However disappointed he might be with regard to the failure of the proposal to annex the Grey district to Nelson, he felt equally disappointed that the Government did not themselves feel the necessity of making the alteration in the appointment of the Chairman of the County of Westland. In the letter which had been read, he pointed out the reason why the person occupying the position of Chairman should be nominated by the Government. At present they had one person in the County of Westland who had a greater responsibility resting upon him than any Superintendent of a Province. The Superintendent of a Province had a Provincial Council formed of experienced men to advise him, and his responsibility was shared by the Executive; but in the case of the County of Westland, they handed over to one person very large powers indeed, and as the office was a movable one, shifting every two years, and the population being an unsettled one, he did not think it held out any great security for good administration that such large powers should be held by one person. They might put an excellent person into the office, but before two years expired he would have to go out and there would be another charge. In the Council itself, out of nine members there had been eight changes in little more than two years. There was no permanence, and they did not get the benefit of any person who had been any length of time in the Council and who had experience in matters of administration. The consequence was that there continually existed dissatisfaction among the inhabitants. The contest for the office of Chairman, when an election took place, gave rise to proceedings of not a very pleasing or creditable character. When the present Chairman was elected, and because a certain person had not been successful, a meeting was held in the theatre, and the language that was used was a disgrace to any body of civilized persons. When a gentleman chose to become a

candidate for the high and honorable position, there were such curiously constituted minds amongst the population that they could never appreciate any higher motive than that of seeking for salary. He was confident the same state of things would occur at the next election. There would be new members in the Council, and there would exist much disagreement on the question as to who should be Chairman. Some person would be elected to the disgust of those who would be disappointed. The honorable member for Westland South had stated that there had not been a single act of maladministration on the part of the present Council, and that no difficulties had arisen. He (Mr. Harrison) would say that any person who looked at the local journals published in any part of the County, would find that there must be some truth in the statement that the affairs of the County were not well administered. He could only say that the Government would find that they had made a very great mistake in passing that favourable opportunity for making a change, and having the Chairman of the Council nominated. It must not be forgotten that the Chairman of the County of Westland held the delegated powers of the Governor, and nine-tenths of his functions of administration were confined to the administration of the gold fields, in which that officer was not responsible to the Council, and in which they had really no authority. That in itself was a matter of some little importance—the necessity that the delegated powers should be carefully and wisely administered. If that officer were appointed by the Government, it would be much more satisfactory to the people of the County, and give greater security for good government. He was sorry that the Colonial Treasurer had thought fit to rather misinterpret the course he had taken with reference to the present Chairman of the County of Westland, and with regard to the withdrawal of his delegated powers. He might state to the House that he, some time ago, had received a telegram from the town clerk of the borough of Greymouth, stating that at a meeting of the borough council, held on the previous evening, he had been requested to telegraph to him (Mr. Harrison) that the County Chairman was making improper disposal of the coal mines, and, as they thought it was a valuable estate, all matters affecting it should be left in abeyance until the question of annexation was settled. He had communicated that telegram to the Government. He had also received a telegram from the clerk of the Paroa road board, stating that the County Chairman was using the delegated powers to the disadvantage of that district, and that a meeting of the miners had just been held; that telegram he had also brought under the notice of the Government. The honorable gentleman stated that it was intended to meet the difficulty by the appointment of a Commission during the recess. He felt certain that he could give the Government more information on the subject than they could obtain through the appointment of a Commission. He could only express his extreme regret at the course

the Government had adopted. It would be a cause of great disappointment to his constituents, and to himself more particularly, as another result would have been attained if he had taken the matter into his own hands.

Mr. CURTIS would not detain the House with any lengthened remarks, but there were some portions of the speech of the Colonial Treasurer which required some explanation from him. The House would possibly recollect that, when the honorable gentleman stated his intention to promote the prayer of the petition by bringing in a Bill to provide for the annexation of a certain part of the County of Westland to Nelson, he (Mr. Curtis) expressed the opinion that it would be rather premature to do so; that it was desirable that the Provincial Council of Nelson should have an opportunity of expressing an opinion upon it, especially as, if the measure were carried, it would add a debt equal to the whole of the debt which she had already incurred. With regard to the annexed district being benefited by the proposed change, if the Provincial Council should take an unfavourable view of the matter, and were opposed to the annexation being effected, it was not improbable that the district would not derive much advantage from the proposal. He had thought that it would be better that the Council should have an opportunity of expressing an opinion on the subject; but, as the Government expressed an intention to introduce a measure and carry it through, he thought the best thing he could do was to endeavour to make the measure as perfect as possible. The main question was what should be the proportion of the debt of Westland that should be transferred to Nelson. The Colonial Treasurer had not been quite candid on that subject. He stated that he (Mr. Curtis) was asking that the sum should not exceed £50,000, while the commissioner whom he (Mr. Curtis) sent to report on the whole question, stated that the sum of about £66,000 would be what he considered a fair amount. What the commissioner stated was, that if revenue alone were to be taken as the basis of calculation, the amount would be about £66,000. But he (Mr. Curtis) did not imagine that any person would think of taking revenue alone as the basis for the apportionment of debt. Territory was a most important consideration, and population was another. The piece of territory which it was proposed to transfer from the County of Westland to Nelson did not amount to more than something like one-twentieth part of the County of Westland. The question of territory must be taken largely into calculation, especially in an alluvial gold field, because the revenue of a district of that kind was necessarily fluctuating, and of uncertain duration. It was perfectly true that, at the present moment, the district which it was proposed to annex produced one-fourth of the whole revenue of the County of Westland, but a rush to the north of the Grey, or in any other direction, might most materially alter that position; in fact, so long as the value of the district and its resources remained as at present, an early diminution in the extent of revenue arising from it appeared to be a matter of necessity, and

followed as a matter of course. The diggings were entirely alluvial; as yet, no permanent workings had commenced, and they all knew that diggings of that description invariably died out for a time. Although the revenue should fall off, the amount of debt would remain a permanent one; and he could not conceive that revenue should be the sole basis of calculation. He would read what the commissioner did say in his report:—

“What proportion of this debt would be charged against the Province of Nelson cannot be estimated with anything like exactness, as it is impossible to say how far other considerations than that of revenue, such as population, extent and value of territory, &c., would affect the decision of arbitrators to whom the question would probably be referred. . . . If revenue alone were to be considered, and these figures are to be taken as correct, £3,500 would represent the share of interest chargeable to the north district. I have reason to believe, however, that the proportion of revenue drawn from the north district is now much larger than it was represented to be in the above return, and I am of opinion that the liability of the northern district under this head may be fairly put down as one-third of the total interest charged against the County, or £4,486 annually.”

To give the House an idea of the character of the land, and of the probability of a permanent revenue being derived from it, he would refer to the fact stated by the commissioner, that the whole of the land sales in the district had only amounted to 430 acres, including the town sections, and that under the Gold Fields Act only one section was leased as an agricultural section. It must be apparent that in its diggings and its coal mines its entire revenue must be looked for. It was possible that, within six or twelve months, that revenue might drop to one-half. During the time that the County of Westland has been separated from the Province of Canterbury its revenue had dropped to one-half of what it was before. To take the territory without regard to population or acreage would be most unjust, and he was not prepared, on behalf of the Province of Nelson, to say that the matter should be left to arbitration, which, being of an uncertain character, was a plan of adjustment to be avoided, if possible. With respect to the part that he had taken in the matter since the Bill was introduced, he might say that his object was to move in it as little as possible; and while he was aware of the importance of the alteration proposed, and of the grievances under which the inhabitants of that district, on both sides of the river, suffered by the existence of a different code of regulations for mining on both sides of the river, and the administration of justice and police in the two districts being under different management, he did not consider the matter so exceedingly urgent that it was necessary to be done without consultation with the Provincial Council, and that it might fairly be left for another year. But the measure having been brought forward, when the Colonial Treasurer asked him a week or two ago if he wished the

Bill to be withdrawn, he told the honorable gentleman that he declined to make such a request. He understood that the honorable gentleman invited him to make that request, in order that he might take the responsibility of withdrawing the measure, but he was not prepared to do so. When the honorable member said that he (Mr. Curtis) had stated that he approved of the Bill being withdrawn, he somewhat misstated the fact. He distinctly declined to express any opinion, but he said that if the Government wished to withdraw the Bill, of course they could do so. With respect to the report of the Committee, the Colonial Treasurer read the resolution moved by himself (Mr. Curtis) in favour of the prayer of the petitioners being complied with. That looked, at first sight, as being somewhat inconsistent on his part; but his object in moving it was this: Previous to that resolution being moved, a resolution had been moved and carried that both sides of the Grey River should be under one government. If the Committee had stopped there it would have been all very well, but some of the Committee were of opinion that the territory on the North side of the Grey River should be transferred from the Province of Nelson to the County of Westland, and he was not prepared to see that done. Therefore, he moved the resolution which the honorable member referred to, that the prayer of the petitioners should be complied with, and that the district south of the Grey River should be transferred to the Province of Nelson. The Colonial Treasurer was slightly mistaken on another point. He understood the honorable member to say that he (Mr. Curtis) assented to the sum of £60,000 as the portion of the Government debt. He did not say that. What he did say was, that if it were put down at £60,000 he should move in the House that it be reduced to £50,000. The Colonial Treasurer had suggested a very objectionable alternative arrangement with regard to the boundary, the effect of which would be that it would transfer from the Province of Nelson a valuable tract of country very different from that on the south side of the Grey. The district proposed to be so transferred included the Grey coal mine and by far the largest portion of the agricultural land which remained unsold within the Province of Nelson. If that arrangement were carried out it would be doing an amount of injury to the Province of Nelson, infinitely greater than the annexation of that smaller piece, referred to in the petition before the House, could possibly have done for the County of Westland. He thought that was a measure which the honorable member had hardly considered sufficiently, and he had evidently taken up the idea without a knowledge of the character of the country. He merely wanted to set himself right, both with regard to the people of Nelson and the people of Greymouth, whose grievance in the matter he fully recognized. He believed that if the Provincial Council were consulted, the Provincial Council and the Provincial Government would agree that the prayer of the petitioners should be complied with, provided that the amount of debt proposed to be cast

upon the Province of Nelson was not unreasonable, and that measures would be taken next year to carry out the object which they had at heart, and which they had persistently advocated for the last four years.

Mr. BAIGENT said it was but a few months ago that a letter was sent up from the Grey to the Superintendent of the Province of Nelson, at the time the Council was sitting, asking his opinion about the annexation of that portion of the district to the Province of Nelson. His Honor the Superintendent sent down his message to the Council, and the Council considered the best thing to be done was to make inquiry into the matter. Accordingly, they passed a vote of £150 to pay the expenses of a commissioner, who had reported on the matter, and his report was lying on the table, having been sent up since the members from Nelson had come up to Wellington. The people of Nelson had not had an opportunity of considering this matter. The Provincial Council had not seen the report; they had not been called together to consider the matter, and yet they were called upon to submit to that annexation. He was quite certain that the Provincial Council would listen with all attention to the petition emanating from the district which desired to be annexed, more especially when it was considered that one-third of the members of that Council came from the West Coast, and one from the Grey Valley, who must be acquainted with the wants of the people. Therefore, he thought that, with equal justice to the people of Westland and consideration to the Council of Nelson, the question should be left open until that Council had had an opportunity of expressing its opinion upon it.

Mr. HALL would like to express the feeling of regret which he entertained that this Bill would not be proceeded with during the present session. No person who knew anything of the Grey district would deny that it was a signal instance of the evils to which New Zealand had been subject by its peculiar form of government. The Grey Valley, taking its mineral and agricultural resources into consideration, was one of the finest districts in the Colony, but those resources had been almost sacrificed by the manner in which the government of the district was provided for. It was a tract of country which, looking at its physical conformation, at the occupations of its people; looking at the channels in which its commerce flowed—looking at everything which constituted a natural commercial or social unit, was an entity in itself. Yet it was cut into two by an arbitrary political line—one half being placed under one Government, and the other half under another, each Government having its own set of officers, and there being no provision for harmony of action between them. The want of this harmony of action between the two Governments was felt in the case of the railway which had been projected: the construction of that line had been postponed, to the loss of the Colony at large, by the want of co-operation, and even rivalry, between the two Governments. Again, a miner

could not go from one side of the river to the other without taking out a second miner's right. There were two magistrates with separate jurisdiction within sight of each other. They had a splendid wharf at Greymouth, sufficient for the requirements of the whole district, and yet he heard that the Government of Nelson were going to spend £2,000 to establish a wharf over the way—just across the river. The cost and machinery of government was doubled, and the efficiency of the administration impaired, by the fact that what nature intended for one district the New Zealand Government had made into two. It was quite true, as had been stated by more than one speaker, that the people of the Grey district did not ask to be put in the same political division as the rest of the people of Westland, but when that portion of the Colony was separated from the Province of Canterbury, it was at that time unavoidable that the Grey district should be separated with the rest of it. He had always advocated the placing of the whole valley, in some mode or another, under one Government; that might now be done by putting the whole valley under the Nelson Government. He was sorry that the Government thought it advisable that this state of things should continue for another twelve months. He was, among others, especially sorry for two reasons—on account of the projected railway and the Grey coal mine. It consisted of a magnificent seam of coal running across the river, and to make profitable use of it, it was desirable that the whole should be under one authority.

Mr. BARFF.—Why?

Mr. HALL would tell the honorable member why. The coal had to be conveyed to the shipping port. The authorities on the south side of the river, in order to dispose of the produce of their mine, must provide a railway or tramway from the southern half of the mine to the place of shipment. The people of Nelson, on their side, must have a parallel railway running on the other side of the river. They would thus have two railways and two wharves. The Colony had not used the people of the Grey well, and he felt for them. With regard to this question of the proposed Nelson and Cobden railway, the people of Nelson proposed to make a railway through their mining districts, and very naturally proposed to carry the line to Cobden, on the north side of the river. He believed that few people who had looked at the district would deny that the best side of the river for the railway was the south side, but that, as matters now stood, would not suit Nelson. Yet the House had made provision, during this session, for letting that contract during the current year. That would not only render a double railway necessary, but, if they wanted anything like a main trunk line running south from the Grey River, they would have not to cross the river at the mine, where it was easy to bridge, but must carry the line to Cobden, where it would cost an immense sum to erect a bridge; or they must come back from Cobden in order to cross the river

at the mine. These were some of the evils resulting from the provincial system. The people of the Grey Valley had always asked that they should be put under one Government. If the particular remedy they suggested had now changed, it was because they felt that if they could not get their claims satisfied in one way, they would get them, if they could, in another. There was no inconsistency in that; it was simply an evidence of their earnestness. He thought that the honorable member for Westland Boroughs had good reason to complain of the treatment he had received at the hands of the Government. If the Government had told him, at an earlier period of the session, that they could not go on with the measure, he had no doubt the honorable member would have taken other steps to bring the case before the House. The Colonial Treasurer now said the Government had new information, and that difficulties had been raised by the representatives of Nelson; but that information was received by the Government some time ago. If, when they found that there was a difficulty in making an arrangement with the Superintendent of Nelson, they had told the honorable member that they could not go on with the Bill, they would have given him an opportunity of making other arrangements with respect to it; but, having told him, at an earlier part of the session, that they would take the matter out of his hands, and then leaving it until the last week of the session before they let him know that they could not fulfil their engagement, was a line of conduct not calculated to win the confidence of honorable members. He thought that his honorable friend the member for Westland Boroughs and the people of Greymouth had very great reason to complain of the treatment they had received. He trusted that the Government, during the recess, would endeavour to provide a remedy for grievances which they could not deny. There was one point which this Bill dealt with to which he had not referred, and for the postponement of which he had heard no reason assigned, namely, the alteration in the mode of appointing the Chairman of the County of Westland. It would be remembered that when the Chairman of the County of Westland was first appointed, he was nominated by the Government, and the system worked well. The Colonial Treasurer had not told them that he had got any fresh information to induce them to abandon this change: he had lost no opportunity, earlier in the session, of telling them that some change was necessary, and of holding up to the ridicule of the House the manner in which the government of the County of Westland was conducted, and at last the Government brought down to the House a resolution to effect the change. If it was right then, why did they refuse to go on with it now? Why did they leave matters in the unsatisfactory state which they had described? A large district like Otago, for instance, with many votes at its back, would not have been treated in that way. Although he agreed with the honorable member for Westland South, that the form of government in the County had been a success,

he thought a change necessary in the mode of appointing the Chairman; and although he (Mr. Hall) was a party to making the Chairman elective, he thought that the change proposed by the Government was a necessary change, and he was sorry that they had abandoned it, especially as they had shown the House no reason whatever for doing so. If they had any reason, the honorable member had failed to mention it.

Mr. KYNERNERSLEY would certainly oppose the motion of the Colonial Treasurer, that the order of the day be discharged. Before going into the merits of the Bill he would say a few words with regard to the action he had taken on the previous day, and in reference to the remarks of the Colonial Treasurer. He adopted on the previous day, with great regret, the very extreme and unusual course of obstructing the Government business. He had stated, on the previous day, that he intended to do so, unless the County of Westland Boundary and Government Bill was brought before the House. He very much regretted having to take that course, but he did so because there was a great principle at stake. The people of the County of Westland had sent petitions to the House for the last three years, and they sent up this year a petition signed by 2,000 of the most respectable inhabitants in the district, which was referred to a Select Committee, who reported favourably. They reported:—

"The Select Committee of the House of Representatives, to whom was referred the petition of the inhabitants of the Grey Valley and Teremakau districts praying for annexation to the Province of Nelson, after taking into consideration the petition, and the report of the commissioner appointed by the Superintendent of Nelson upon the subject, have the honor to report, and are of opinion,—That it is desirable that both sides of the Grey Valley, together with the district northwards of the Teremakau River (which is commercially connected with the town of Greymouth), should be under one Government; and are further of opinion and recommend that the prayer of the petitioners be complied with."

Now, he considered that a petition setting forth a grievance from so many inhabitants of a district, who had petitioned the House for three years for the remedy of the same grievance, should be brought before the House and considered. That was the point for which he was contending on the previous day, and the fact of the petition not having received that consideration at the hands of the House to which it was entitled, was the only reason which induced him to adopt the extreme and unusual course which he did. He was not altogether satisfied with the Bill. He would vote for it if it came before the House, but he did not consider that it was altogether satisfactory; at any rate, it was certainly not satisfactory to him. He had to choose one of two courses—either to put the House to inconvenience, or to cause great discontent in the district which was interested, by allowing the petition of the inhabitants to be buried. The Colonial Treasurer had stated that

the House was disgusted with the action taken by himself and his honorable friend the member for Westland Boroughs. If they were disgusted, it was with the action of the Government, which had forced himself and his honorable friend to take the course which they did. He had never stated, as the Colonial Treasurer had hinted, that the Government had been guilty of a breach of faith with him; he said they had been guilty of a breach of faith with the honorable member for the Westland Boroughs and his constituents. The Treasurer had stated that, in an interview with himself and the honorable member for Westland Boroughs, he understood that he (Mr. Kynnersley) was not going to support the Bill before the House. He was sorry the honorable member had misunderstood him; but he told the honorable member what he had told the people of Greymouth when the petition was being signed—that the annexation of the Grey to the Province of Nelson was not the most satisfactory way of bringing both sides of the Grey Valley under one form of government, but that it was his intention to support any measure which would accomplish that end. He told the honorable member that he considered the provincial form of government totally unsuited to the circumstances of the West Coast, and that, if the Grey were annexed to Nelson in the manner proposed in the Bill, before twelve months had elapsed there would be the same animosity between Greymouth and Nelson as formerly existed between Hokitika and Christchurch; but at the same time he would, as he said before, always be prepared to support any proposal for bringing both sides of the Grey Valley under one form of government. The Colonial Treasurer had indulged in a great number of personal allusions to what he characterized as disgraceful proceedings, and had attributed his conduct to youth, and inexperience, and so on. He did not care about going into those wretched personalities, and he thought it was a lamentable state of things when the welfare and progress of one of the finest districts in the Colony should depend upon whether one or two representatives of that district happened to be on good terms with the Colonial Treasurer, or happened to support the Government or oppose it. He stated, on a former occasion, that the Government had been guilty of a breach of faith towards the inhabitants of the Grey district. He came to that conclusion because he knew it was the intention of the honorable member for Westland Boroughs to have brought the petition before the House, and have endeavoured to obtain a remedy for the grievance complained of; but the Colonial Treasurer took the matter out of his hands, and not only told that honorable member, but stated in the House, that the County of Westland Boundary and Government Bill, for the annexation of the districts in question to Nelson, should be a Government measure. The Government brought in the Bill, and it was read a first time on the 22nd August, and it had been on the order paper ever since. It was considered so safe as a Government measure that his honorable friend the member for Westland Boroughs telegraphed to

his constituents that the matter was as good as settled; and now, within two or three days of the end of the session, the Colonial Treasurer told the honorable member that it was not the intention of the Government to proceed with the measure. He considered that that was a breach of faith with the honorable member, for if the matter had not been taken out of the honorable member's hands, it would have been brought before the House long ago, and settled one way or the other. If it had not been for the action himself and his honorable friend had taken on the previous day, the Bill would not have been brought forward at all. He considered that, under the circumstances, he was perfectly justified in using the strong language which he had used in reference to the conduct of the Government in the matter. He would now address himself to the subject of the Bill itself. He could speak with some knowledge on the subject, because he was in charge of the gold fields north of the Grey River, and had control of the public works almost from the first occupation of the Grey Valley. He formed the opinion, when he first went to the Grey, that it was a great pity that both sides of the valley were not under the same Government, as it was a considerable drawback to the business of both districts. He was debarred, however, from expressing any opinion on the subject, on account of his position as resident magistrate. The great disadvantages and inconveniences which existed under the present state of things, with regard to the government and boundary of those districts, had been fully set forth in the petition, and had been referred to by the honorable member for Westland South and the honorable member for Heathcote. It was hardly necessary for him to point out that the divided government necessitated double expenditure. There were two sets of mining regulations, two wardens' courts, and two police offices, all within half a mile of each other, and it could be easily understood that the miners and business men in both districts experienced great inconvenience therefrom. Miners were constantly crossing the river, and they were required to take out a miner's right for Westland and one for Nelson, when they were carrying on operations in both places, and, of course, they were subject to two different regulations. The business people were chiefly resident in Greymouth, and their customers were on the other side of the river, and both miners and business men experienced great inconvenience every day of their lives in consequence of the present boundary line. It would be generally admitted that in all cases it was inconvenient to have a boundary line passing through a populous district. There had been various petitions upon the subject before the House, each containing distinct propositions; one had been to connect the north bank with Westland, another to erect the Grey Valley into a distinct territorial division, under a form of government of its own; and the third to annex the south bank of the Grey to Nelson. He took it that the main question to be considered was as to the best way of

bringing both sides of the Grey Valley under one form of government. The proposal for annexing the north bank of the Grey to Westland would be, in his opinion, the worst of the three methods. One reason for that was, because of the rivalry which existed between Greymouth and Hokitika. These two ports and towns had grown up together, and there had always been a rivalry between them since they were first established. It was very undesirable, and, if possible, to be avoided, that there should be any Province, County, or territorial division of any kind, in which those places were united. They had seen the evils arising from similar action in the case of Picton and Blenheim, the result being a great drawback to the Province of Marlborough. The same result would ensue if the north bank of the Grey were annexed to Westland. It was, at that time, impossible to unite them, inasmuch as they had no petition before them to have such a project carried out. It would be better, he thought, to establish some separate territorial division—he did not care whether it was called a Province, a County, or a shire; whatever its name might be, it should have one object. He had told the Colonial Treasurer, during the interview that he had had with him together with the member for Westland Boroughs, that the provincial institutions of this country were entirely unsuitable so far as the West Coast gold fields were concerned. The Colonial Treasurer stated in the House that it would be useless to abolish provincial institutions, because, even if they were abolished, the provincial feelings would remain. That did not apply to the West Coast of the Middle Island. They there had no provincial feeling, but, on the contrary, they entertained strong anti-provincial feelings, as had been formerly shown between Westland and Canterbury. There was at present a strong feeling of animosity on the part of the people of the West Coast gold fields against the Nelson Province. He was quite prepared, as an anti-provincialist, to admit that the provincial institutions had worked well in some parts of the Colony. He believed that in Otago and Canterbury they had worked well, and, having said so, he would ask provincialists, in return, to consider the position and circumstances of the West Coast, and they would find that provincial institutions were altogether unsuited to their condition. The people of the Nelson gold fields had principally come from Victoria, and they knew very little about the machinery of the Government of New Zealand. They only knew that there were two Governments—one at Wellington, about 280 miles away, and another at Nelson, some 200 miles distant—and that one of these exercised one class of functions, and the other another. They could not draw the line between them, but they wondered what necessity existed for such a form of double government. The form of government best suited to the West Coast would be that of a County, not like the County of Westland, but something like a road board or board of works at each centre of population—Hokitika, Greymouth, and Westport—with power simply to deal with the revenue which was handed to them by the General Government, and to be expended

on public works in the district. They should have no legislative powers whatever. He did not see the necessity, in these days, for a number of legislative bodies being scattered all over the country. There might have been a necessity for them when the Colony was being first settled, and when the means of communication were so precarious between one part and another; but that necessity no longer existed. The whole population of the Colony was only equal to a second rate town in England. There were ten towns in England with larger populations than New Zealand, and yet there was no necessity felt for legislative bodies being scattered all over the old country. To those outside New Zealand the form of government prevailing here appeared ridiculous and absurd. No other small country possessed any similar constitution. He might refer to the neighbouring colony of Victoria. Ballarat, with its suburbs, included a population of 80,000 inhabitants, and yet they did not require to possess a legislative body. It possessed more inhabitants than Auckland or Otago, and they were quite satisfied with having a mayor and corporation. If they took any of the large towns of England—Liverpool or Manchester, for example—the same would be seen. Why, then, should they have those legislative bodies in New Zealand distributed in every direction? He was not satisfied with the proposal contained in the Bill to annex certain portions of the Grey Valley, or any portion of the West Coast, to the Province of Nelson. There was no probability of the Bill being carried that session, but, if it were, he thought there would be very little stability in the arrangement. If Greymouth joined Nelson, before the lapse of twelve months there would be just the same animosity between Greymouth and Nelson as there had been between Hokitika and Christchurch; in twelve months they would be sure to separate. The people of Greymouth would be too strong for Nelson; they would not be content to be governed by Nelson. He knew the Province of Nelson well, having been for three years in the service of the Government there, and he knew, from his own experience, that the Government had always been a drag upon the Province. If the Province, which possessed large mineral resources, had been properly governed, it would have rivalled Otago. The idea of government in Nelson was simply to drift. It had failed in almost every particular; it had not induced immigration or opened up the country. It had remained satisfied with simply keeping the expenses of the Province within the income, and, having done so, they thought they had discharged their duty to the Province, for which the people should be proportionately thankful. For some years past there had been a general feeling of discontent with respect to the government of the Province. Such a method of governing the country as that pursued by the Government of the Province of Nelson was not consonant with the views of the people of the West Coast, and if Greymouth were joined to Nelson, the people of the former place would demand more than merely making both

ends meet at the end of the year. They were smart men on the West Coast. They thought that a Government should lead instead of following the miners, and not be a drag upon them. Greymouth was a far more important place than Nelson. It had a larger population, and was a finer country, than the little valley at the head of Blind Bay called Nelson. The Grey Valley was a larger and more fertile country, and could support a larger population than the Waimea district. It was also inhabited by a vastly different class of people. They had more trade and customs revenue in the port of Greymouth than in that of Nelson. The people of Greymouth were a vigorous, energetic, and progressive class of people, and they considered—whether rightly or wrongly he was not prepared to say—that the people of Nelson were the embodiment of all that was dull, torpid, and stagnant. It would soon become a case of annexing Nelson to Greymouth, instead of Greymouth to Nelson. He spoke from a full knowledge of those districts. It would be much more satisfactory to place both sides of the Grey Valley under one distinct form of government, and he was prepared to vote for any scheme that would bring about that object. He did not think it necessary to refer to the speeches made by the other members upon the question. He would only remark, in reference to the honorable member for Nelson City (Mr. Curtis), that, having regard to the report of the Committee, with which that honorable member had agreed, he could not do otherwise than support the Bill. He did not think it necessary to reply to the remarks of Mr. Barff, as they had mainly reference to a report, taken from a West Coast paper, of a meeting that was said to have taken place in a little village, no one knew where. The Teremakau River was not open to the same objection as the Grey River as a boundary line. The Grey River was navigable, and had a large town upon it, and was an important port. Its exports exceeded those of Wellington, and its customs revenue was fully equal to the port of Wellington. He had been looking over statistics, and he found that, as regards customs, it was the sixth port in New Zealand. The Teremakau River was not navigable, and there was no town about it. When he was last there, there were only two or three houses, and only a few inhabitants settled there. The country was very rugged, and not fit for settlement. The Teremakau would be an admirable boundary; large enough to distinguish the boundary between the two Provinces, and not large enough to be navigable. He did not wish to detain the House longer. He could only say that he was not altogether satisfied with the Bill. He did not think that the Bill, if carried, would give permanent satisfaction to the neighbourhood, but yet at the present time they felt a great grievance; they had a most inconvenient boundary line, which had been injuriously felt by every miner and business man in the district for the last three or four years. He would ask the House to vote for the second reading of the Bill, and, by so doing, endeavour

to remove the obstacle to the progress and prosperity of what he believed to be one of the very finest districts in New Zealand.

Mr. VOGEL would not detain the House by any remarks in answer to the speech made by the honorable member for Westland North (Mr. Kynnersley). He was quite willing to believe that the action taken by the honorable member might be excused on the ground of his inexperience. He could assure the honorable member that had he not been a young member—had such a course been adopted by an honorable member of more experience and knowledge of the forms and proceedings of the House—he would not have met with such indulgence from honorable members generally, who seemed to have taken the conduct of the honorable member very good-naturedly. The honorable member had supplied a good reason for not going on with the Bill this session. It might be asked, if the honorable member thought it necessary, on the question of discharging the order from the notice paper, to make such a long speech, what would have been the case if the Bill had had to pass through the ordinary stages. He (Mr. Vogel) expected they should not find any disaster follow the postponement of the question for a few months. They should then know whether the inhabitants were of the same mind two years together. Last year, the prayer was, that instead of a portion of Westland being attached to Nelson, a portion of Nelson should be attached to Westland. Now, the prayer was quite different. The Grey district was rather more prosperous than the southern part of the County of Westland, and the separation would place the County of Westland in a worse position than it was at present; it would throw a greater charge upon the Colony, and, of course, be of advantage to the Grey district. Greymouth was a rising township, whilst Hokitika had been, to some extent, receding. If, when a new township had sprung up, with all the materials of prosperity about it, they were to make a fresh territorial division of the country, he did not know where it would end. The merchants and storekeepers of the town had found that it paid them to subscribe £200 to secure 2,500 signatures. He had no doubt Greymouth might be the local seat of Government, and the people would not have cause to regret that expenditure. He was sure the House must be perfectly aware that, with the various questions that would arise in carrying a Bill of this kind through the Legislature in the face of the opposition it would meet with, the Government would not be in a position to satisfy honorable members on the points that would be raised. There appeared to be no agreement of opinion, either in the district or in the House, upon the question, and he was quite sure the better course was the one which the Government proposed to adopt. He would point out to honorable members that it was only a few days ago the Government finally decided to abandon the Bill this session. There was no disposition whatever to keep the order of the day low down on the notice paper. The Government had been pushing on the busi-

ness as fast as they could, and this Bill had shared the fate, so far as regarded its position on the order paper, of other Bills of a much more important nature. He presumed the House would have no difficulty in assenting to the motion that the order be discharged.

Motion agreed to, and the order of the day for the second reading discharged.

CUSTOMS DUTIES BILL.

Mr. VOGEL said that the Customs Tariff Bill, the second reading of which he had now the honor to move, was a Bill meant to affirm those alterations in the tariff which had been discussed during the session. He had before him materials for a speech of two hours and a half; but he believed it was the wish of honorable members to proceed to deal with the Bill as quickly as possible, upon facts within the knowledge of most of them, and not to enter upon a discussion upon points of a more or less abstract nature. He believed that most honorable members were—or at all events that the country was—firmly convinced that we wanted something to develop within the country the means of self-sustenance; that it was not desirable New Zealand should, for almost everything it required, continue dependent upon foreign countries. That conviction had rapidly gained ground throughout the country; and he believed it was already represented in the House by a majority, and that that majority would grow larger year by year. Honorable members might cry “No,” but there could be no doubt about it. The battle now being, and to be, fought here, was one that had been fought elsewhere, between merchants and importers and the settlers of the country. The question involved was simply whether the consumer should pay a profit to the merchant and importer, or to the settler. One might eat a loaf made of New Zealand flour, and know that he was paying something towards the livelihood of the settler, and towards the maintenance and construction of roads in the Colony. Some honorable members might laugh; but the farmer did contribute to the road rates and the tolls, and so helped to open the country. On the other hand, one might eat a loaf made of Adelaide flour, and know that he was thereby doing something towards maintaining or constructing roads in another Colony, and towards giving a profit to the importer. As for the consumer suffering much by what was proposed, he did not believe that such was the case. All the theories in which honorable members might choose to indulge, borrowed from what they had read as to other and older countries, did not apply to the circumstances of a new country like this. We had at this very time a proof of that fact. The duties on grain and flour had only been in existence for a short time; but, notwithstanding all the allegations as to their inevitable effect being to increase the price of flour, they had not had any such effect, for, at the latest advices, Southern flour was, in Auckland, 30s. a ton cheaper than imported flour. He would suggest that the better plan would be to read the Bill a second

time at once, and pass it through Committee; deciding the whole matter by a division upon the single question whether the duties should remain in force for a longer period than until the end of the next session. Or, he would consent to this:—Let it be accepted that it was not desirable to return the amount of the new or increased duties already paid under the resolution of the House: they had now been going on for more than two months, and the consumer had had the additions, trifling as they had been, charged to him. So, let the Bill be read a second time and passed through Committee; and then let a division be taken on the question whether the duties should cease with the quarter ending on the 30th September, or should be continued until the end of the next session. That would be not only an expeditious mode of dealing with the question, but it would afford to the minority an opportunity of gracefully yielding to the majority. The question as a whole was one about the fate of which no person need have a fear: its truth, and justice, and policy would be vindicated by time; and if not passed this session, it would be passed next session, beyond doubt. He trusted that a long discussion, which would have no effect, would be avoided; and he begged to move the second reading of the Bill.

Mr. BORLASE moved, as an amendment, that the Bill be read a second time that day six months. He did so on behalf of the people, as he looked upon the Bill as an attempt to insert the thin end of the wedge, and ought to be resisted. The only argument they had heard was, that they were to put a tax upon flour. Nothing had been said about any of the other articles mentioned in the Bill. The Colonial Treasurer had come forward and boldly declared that he would tax the food of the people. For whose benefit? Was it for the benefit of the Government? Then, if so, let them tax luxuries first before they commenced to tax the food of the people. Was the tax for the benefit of a few farmers who grew grain? The people should be considered, as they were the consumers, and the growers were very few as compared with the consumers. Let the luxuries be taxed before the food of the people. A great deal of the grain grown last year had been bought and sent to Adelaide, and those who purchased, after having paid the shipping charges, had it sent back as flour to Wellington, and other parts of the North Island, and, after paying all expenses, realized a profit. He denied the principle of protection altogether. When they were imposing restrictions upon the importation of grain, they were taking off the duty on bags, wool-packs, &c. One would think that the runholders were the people of the Colony. He could not understand the principle which the Colonial Treasurer had acted upon. It was ridiculous to see where duties were to be taken off and duties imposed. The question of free trade had been fought out by abler men than were in that House. He considered the principle of protection a bad one. In New Zealand they could grow produce and everything necessary for life, and if they only restricted the importation of anything they could

not produce for themselves, they would shut the Colony up, and make it an inaccessible Island; there would be an end to trade and commerce. A man said, for instance, that he must be protected because he was a shoemaker, and thus they created a set of lazy paupers who had a monopoly of their trade; and in thus doing away with the healthy influence of free trade and competition, they isolated themselves and became a miserable country. In the United States it was found that their important shipping interest had been ruined by protection. The downfall of the American shipping had been caused by the restrictions on free trade. He said this: that before they ventured to impose, even in the smallest degree, a restriction upon the free importation of commodities required for daily consumption by the people, they should wait until they had taxed every article of luxury that came into the country first. They should not begin by taxing the bread of the people; but if they should ever be compelled to do it, they would find that the effect of it would be to compel the people to go to other places, and New Zealand would become a desert instead of being what it ought to be—a populous and wealthy country.

Mr. BUNNY had great pleasure in seconding the amendment, as he was opposed to every system of protection. The Government, instead of bringing down a tariff of that kind, might employ their time during the recess in revising the whole system of protection in this Colony. What did the Government proposal amount to? It simply compelled the people of New Zealand to pay a high price, not only for their clothes, but even for their food, and the other necessities of life. If they wanted to protect native industry let them do it in a plain, open way; let the Colony grant bonuses for the encouragement of those industries and he should support it; but in order to encourage the manufacture of blankets he was not prepared to compel the people of New Zealand to pay another 5s. per pair for them. It was not merely the import duty which they had to consider, but there was also the extra charge made by the merchant, and then again by the retail dealer; so that the consumer had to pay much more for the goods in consequence of the duty being imposed. With regard to the protection to corn, he thought the Middle Island farmers would get very little benefit from that. He understood that the Canterbury farmers were exporting their surplus wheat to England. Of what benefit would the duty on corn and pulse be to them? Not one shilling. If they divided the 1s. per cwt. on flour into the smaller proportion in which it could reach the consumer, they would find that it amounted to nothing at all; but, at the same time, the effect of it would be an increase of 1d. a loaf to the consumer. If they took the article of colonial beer, the brewers had a protection which ought to be removed at once. He did not think that protection was the right way to encourage the growth of that industry in New Zealand; but if they were to encourage it by bonuses, that would be a legitimate and good direction in which to spend the money of the Colony. He

did not know whether the Government intended to bring down a measure to reduce the duty on imported spirits, when they had decided that those manufactured in the Colony should pay only half the duty on imported spirits. He deprecated that sort of tinkering with the revenue. Every Government seemed afraid to go into the question of raising the revenue in New Zealand; but the proper way to raise a revenue in New Zealand was by imposing a property and income tax. Let every man pay according to what he had got. In that way they would be able to reach those people who, living out of the Colony, derive large incomes from New Zealand, but who did not contribute one shilling towards its revenue. They were sending out of the country many thousands every year, to persons who did not contribute a single shilling towards the burdens of the country. Those people would then have to pay according to the value of their property, and it would be a fair and equitable tax upon all parties. At present, nearly the whole of the revenue was raised from the working classes, the richer classes contributed very little towards it, but the rich and poor should contribute alike, according to their means. But to tax the poor man's boots, and then let wooden pegs come in duty free, was simply an absurdity. He trusted that the House would adopt the amendment of the honorable member for Wellington, that the Bill be read a second time that day six months, and let the Government come down next session with a good, bold scheme, to raise the revenue from the income and property of the country—the Colonial Treasurer was equal to the task—and such a measure would meet with support from the House and from the country.

Mr. KYNNEERSLEY would certainly support the amendment. He was sorry to hear the Colonial Treasurer say that he did not wish to raise the question of free trade and protection. If the Colonial Treasurer had not any clear ideas with regard to free trade and protection, he (Mr. Kynnersley) said he ought to have. He was going to make some remarks with reference to the observations of the Colonial Treasurer in his reply yesterday, when he (Mr. Kynnersley) had no opportunity of answering him. He was very sorry that the honorable gentleman was not present.

The SPEAKER hoped the honorable member was not about to allude to a former debate.

Mr. KYNNEERSLEY would put the case hypothetically. If the Colonial Treasurer had stated that the action he had taken with regard to certain measures which he considered it his duty to take was only excusable on the ground of his youth and inexperience, he might if he liked say that the honorable gentleman's action with regard to this measure, was excusable only on the ground of his age and imbecility.

The SPEAKER thought the honorable member's line of argument was somewhat irregular.

Mr. KYNNEERSLEY begged to apologize if he had been guilty of any irregularity. He merely wished to say that, if he had made that remark, he had as much reason for using that

language as the Colonial Treasurer had in using the language he had used four times during the last day with regard to himself (Mr. Kynnersley). He was not going into the present question of free trade and protection. He was going to speak on that measure as the representative of a mining community, and as such he must support free trade. Holding the opinion he did, that the mining interest was the leading interest in New Zealand, he thought the inhabitants of the Colony might be divided into two classes, miners and others; with the exception of the wool growers and those dependent upon them, the rest of the people might be divided into miners and those who fed the miners. He maintained that were it not for the miners, New Zealand would be in the same state as Tasmania was at the present time. He was aware it was said that they had no free trade now, because there were duties levied on certain articles in general use; but he could not see that there was any reason why they should pursue that system any further, and to impose fresh duties upon the necessities of life. He had used the words protective tariff, because this was clearly a protective tariff. These were not revenue duties at all; they were protective duties. He took the Colonial Treasurer's own words in his financial statement. What he said was this:—

"We want to raise a certain amount of revenue, and it is highly expedient that the revenue should be divided in the manner best calculated to stimulate local production."

He maintained that if the revenue was for the purpose of stimulating local production, that it was a protective tariff and nothing else. He was in favour of protective duties, for a limited period, upon articles which might be manufactured in New Zealand; but in that he thought they ought to be guided by the protective tariff of Victoria. He would like to know whether that highly protective tariff had had the effect of stimulating local industries there. He would like to know whether the blanket and other woollen manufactories, and the other local industries which that tariff was intended to encourage, had grown, and whether they now paid in the colony of Victoria. If he believed that in a colony like this, with the high price of labour, and where, so long as the gold diggings continued, wages must of necessity be very high—if he believed that any of these industries could be profitably carried on, he should not object to any grant, or protection tariff, or bonus—he did not care how they put it—to give encouragement to these industries for a limited period; but he must confess that he doubted, in a country like this, where wages were so high, that any of these industries proposed could be profitably carried on. If they did not grow naturally, and if they saw that, after a little encouragement for a few years, they would not pay, it would be a great mistake to encourage them at all, and they would be merely diverting the labour and capital of the country from the more profitable industries, such as gold mining, to less profitable industries. The item which he chiefly objected to was the tax on

breadstuffs—the tax of 1s. per cwt. on flour, and of 9d. per bushel on wheat. That duty must either raise the price of wheat or not. If it did not, it would not benefit the farmers of New Zealand. He submitted that this tax could not raise the price of wheat or flour, simply because New Zealand produced already more flour and wheat than could be consumed in New Zealand; therefore, the price of breadstuffs in New Zealand was not ruled by the New Zealand market at all, but by the London market. If these duties were levied upon breadstuffs, the effect would be to raise the price to consumers without benefiting the growers at all. If the farmers of New Zealand at present commanded the New Zealand market, they did not require a protective tariff. If they did not, it only proved that those breadstuffs could be more advantageously imported from Australia than they could be grown in the Colony of New Zealand. He did not wish to go into the general question of protection or free trade, but, without respect to either, he took the district which he represented, where the freight and insurance from Australia was less than they were from Lyttelton, and he said that in that district, if they could import flour and wheat from Australia at a less price than they could get them from Lyttelton, that it was more advantageous, not only to the inhabitants of the district, but to the whole Colony, than, by any protective or prohibitive tariff, compelling them to obtain their breadstuffs from New Zealand, because breadstuffs could never be imported permanently from any foreign country, unless they could be obtained from that foreign country at a less cost of capital and labour than they could be produced in the Colony itself. The only effect of this import duty on breadstuffs, if it were imposed, would be to raise the price of wheat to the consumers on the West Coast, without benefiting the producers on the East Coast in the slightest degree. He knew that the Colonial Treasurer himself had an idea that they ought to keep the money in the country, whereas, by getting their corn from Australia they were sending the money out of the country. He would ask the honorable member to apply that principle further, and prohibit all imports, and thus keep all the money in the country, or, to go still further, if that principle were extended to private individuals, every man ought to grow his own wheat and make his own bread, for the purpose of keeping the money in his own pocket. This was the whole tendency, not only of the protective tariff proposed by the Colonial Treasurer, but also of the reciprocity treaties which he contemplated entering into with other countries. The only chance he saw of their getting free trade in this country, if those reciprocity treaties were carried out—if they were to have reciprocity treaties with Australia, California, Java, and other countries—was, when they had reciprocity treaties with all the countries in the world, they might then get round to free trade in time. Reciprocity, with regard to this country, seemed to him a very great mistake. They were agreeing with the Australian colonies, or trying to agree with them. The Act was supposed to be an Act to encourage trade

and commerce with the Australian colonies. The only two commodities they could profitably send to the Australian colonies were oats and beer, and they expected to receive in return from them wheat and wine. He said that if that reciprocity treaty were carried out it would not have the slightest beneficial effect. It was hoped that the reciprocity treaty would enable them to get Australian wines in this country, and that they, in return, would take our New Zealand beer. He thought it was a great mistake that these two countries should agree to poison each other in this manner; if they were left to free trade altogether it would be much better. If there were no duty at all on those articles, they would get much better beer from England than they could obtain in New Zealand. English beer was drunk in preference to colonial, and, if no duty were imposed upon it, good wholesome English beer would be drunk generally throughout the Colony instead of the inferior stuff manufactured in the Colony. The same principle might be applied to wine. He did not see why they should pay a high price for inferior wines from Australia when they could get superior French wines at a less price. That reciprocity treaty appeared to him to be an agreement between New Zealand and Victoria. We said to Victoria, "If you will drink our bad beer, we will drink your bad wine, to the exclusion of English and French commodities." There were many other things in that protective tariff which were objectionable; for instance, it was proposed to impose a duty on posts and rails and palings, while, at the same time, they were taking off the duty on iron fencing. Ships came from Tasmania to the West Coast laden with posts and rails and palings of hardwood superior to anything they could get in New Zealand. There might be woods in New Zealand equal to them, but they could not be landed on the West Coast at a price to compete with the articles imported from Tasmania. He thought it was somewhat inconsistent to pass this prohibitory tariff to prevent the importation of posts and rails from Tasmania, while at the same time they were entering into reciprocity treaties for the interchange of commodities with Australia. In the same way they were imposing duties on hams, bacon, and many other articles. Those duties would simply raise the price of the imported bacon and hams, which were articles largely consumed by the miners on the West Coast, but they would not have the effect of compelling the miners to use the very inferior article which was produced in New Zealand. The colonial hams and bacon were not cured sufficiently well, and could not stand the hard usage which those articles received at the hands of the miners while knocking about in the bush. He objected to the measure as opposed to that great principle of buying in the cheapest market and selling in the dearest. Protective tariffs and reciprocity treaties were a great mistake, for, while professing to encourage and facilitate trade, they really impeded it.

Mr. CARLETON had taken a few notes of the speech of the Colonial Treasurer, but they were not very voluminous. The honorable member

had said very little. He had been careful not to expose his flank. He had refrained from making an opening speech at any length, and, no doubt, would reserve all those two-hours-and-a-half speech notes for an impromptu reply. The honorable member had said that he would not speak at length; if so, he had better not have spoken at all. He did not know how many points the honorable member had in reserve, but he had let out three of some importance, which he had better have kept to himself; and with those he (Mr. Carleton) would attempt to deal. The first point to take up was a proposal that the duties should be continued until September, 1871, which seemed to be made by way of compromise. The second point he had raised was the principle of self-sustenance—whether they were to keep the profits upon manufactures and produce amongst themselves or suffer them to go out of the country. That was a stock argument, upon which little that was new remained to be said on either side. The third point was that time would vindicate the soundness of his proposals. The House was asked that day to admit the principle of protection. He was quite aware that an attempt would be made to show that it was not a question of protection, but of revenue. The honorable member at the head of the Government, in his speech upon the financial statement, told them as much. He had preserved his own notes of what the honorable member had said, and he would answer for their correctness. He said:—

"The Government does not propose protection; it looks upon the alteration of the tariff as merely a means of raising revenue."

He (Mr. Carleton) thought that by using a crabbed expression of the old logicians he would be able to show the fallacy of that statement in a word; but as he had been growled at in the House for using technical or old-fashioned terms, he would endeavour to make his meaning clear, not in one word, but in many. He was ready to admit that, to a certain extent, protection was in vogue already. He was quite aware that the Colony protected its beer—Auckland or Otago; that they protected the Nelson tweed, and many other New Zealand productions; that, in point of fact, wherever they imposed a duty upon anything which could be produced manufactured within the Colony they were virtually giving protection. But of this he was sure: that if they were to send home the Bill before the House, and declare that it did not contain a protective tariff, they would simply be laughed at for their pains. Corn was the test word of protection. "Cheap loaf" was emblazoned on the banner of free trade. That was the distinctive mark—the essential difference, by common consent, in the old times—between protection or non-protection. The stand was taken upon the question of corn and breadstuffs. He might as well be told that the banner of England was only a red rag. In one sense that was true; it was the truth, but it was not the whole truth. The banner of England was not only a red rag; it was much more than that—it was a symbol for which hundreds of thou-

sands of men had laid down their lives. In the same way, when they affirmed that the present was not a protective tariff, because they had already given protection to many other articles of colonial produce, they spoke truth, but not the whole truth. The subject was one upon which he did not speak lightly; he had already given it serious and careful consideration. He was not prejudiced against the name; he was not afraid of being called illiberal; he was not to be scared by the cry of "bread tax." If reason could be shown for a protective tariff he was quite ready to vote for it; but he confessed he was much disappointed in the utter abnegation of duty by the Colonial Treasurer, who flung down a tariff of such importance upon the table of the House; not attempting to support it by argument, but leaving the House and retiring ingloriously from the contest. He had said that he was not prejudiced against the name. In the old country, as a remnant of old Toryism, he was a protectionist, and as hot a protectionist as any one of the old school. Neither did he see, at the present moment, any cause for changing the opinion which he held there in those days. He was a protectionist in the old country, believing the question not to be a question of the poor man's loaf. He believed the whole controversy, as then waged, was a sham; that on neither side did men speak their whole minds. He believed the real question at issue to have been in the nature of a struggle for power between the manufacturing and landed interests. The question raised in England did not touch the poor man's interest at all. The object of those peripatetic agitators who lectured up and down the country against the grinding tyranny of the corn laws was, not to obtain a cheap loaf for the poor man, but cheap wages for the manufacturers; for, so long as there was competition for labour, so long would wages be kept down to the lowest point at which life could be sustained. They sought to lower the price of the loaf to the poor man, so that, as soon as he should be able to buy as much bread for less money, the wages paid by the manufacturer would be lowered in the same proportion. For that reason was he a strong protectionist in the old country, but he was utterly unable to see that the same reasons applied to this Colony; yet he was ready to admit that, even in this Colony, there was much to be said on both sides. He had a dislike to a mere advocate in a legislative body. Whatever argument occurred to him that bore against him he was always ready, to the best of his power and his ability, to lay it before the House. He had a great contempt for mere advocacy, which had a six-and-eightpenny smack about it, and he had almost an equal objection to those who were unable to see two sides to a question; to those whom he might compare, to borrow an expression from William Richmond, in 1858, to flat fish, with both eyes on one side of the head. This was no question of "the poor man's loaf," and he trusted that such a cry would not be raised in this country; for, although it was a most effective cry, it would not be a fair one. He thought it was an unfair cry, because there were

no poor in the Colony; none, at all events, save those who had become poor from their own misconduct, and a few others, much to be pitied, of the white-handed class—those for whom there was no distinctive name in English, but who were called in Italy "*i poveri vergognosi*"—the shame-faced poor; those who could not dig, but to beg were ashamed. Therefore, the poor man's loaf argument was beside the question. It was only a cry after all. But there was something like argument to be found. He was ready to admit that the pleas for free trade, which may be deemed irresistible in old and thickly populated countries, surrounded by other countries as old as themselves, might not equally apply to countries which were as yet scarcely past their infancy. He was ready to admit that in a young country, as with a child, some fostering care, in the first instance, might be useful, and that it might be worth while to give a support to home production. Let it be observed, however, that there were two ways of doing that: by bounty and by protective duty. Now, he could give an instance which came within his own knowledge, of a branch of industry having fallen away in former times in this country simply through the want of a little protection, and which, if that protection had been continued, would have been a flourishing branch of industry at the present moment. He alluded to the manufacture of New Zealand cordage. By the tariff of 1842 a trifling duty was placed upon European rope—5 per cent. *ad valorem*. A rope-walk was established in Auckland by a man who thoroughly understood his business—Mr. James Robertson; year by year he was lengthening that rope-walk, and his business was increasing. In the eleventh session of the nominee Legislative Council, held at Wellington, Sir George Grey took off the duty, and allowed cordage—that is to say, European rope—to be imported duty free. Mr. Robertson, who was a long-sighted Scotchman, as soon as the news reached him that the duty was taken off, said to him (Mr. Carleton) "I shall clear out, that duty is my profit," and he did clear out. The rope-walk fell into less experienced hands, and, after a while, the whole establishment went to ruin, and that which would have been a most important manufacture at the present moment had died out. He might be told that he had adduced a sufficiently conclusive argument against himself, but, being against himself, he had, according to his wont, stated it as strongly as he could. He had only one reply. He believed that a certain amount of fostering was expedient in a young country, but he was inclined to think that we had already got past that time of life, and no longer required it; at all events, he had not been shown the contrary. It was for those who believed in protection to show why it should be introduced into a country like this. Possibly, before the conclusion of the debate, reasons might be supplied from the treasury benches, but he had failed to find them yet. Of course, his inability to see why protection should be introduced was only a negative argument, and entitled to no more value than

negative arguments generally were. But he wished to ask the supporters of the present measure what they wished to effect by it? What was their real object? He hoped for a frank and downright answer to the question. The Colonial Treasurer had told them that he desired to carry out the principle of self-sustenance. That was merely one of those miserable half-hearted arguments they used to hear in England in favour of the corn laws. The very protectionists themselves did not brave the real point at issue; they did not treat the question upon its true merits—as a struggle of classes for power—but descended to economical and fiscal arguments, in which, perhaps, they got the worst of it. The Colonial Treasurer must take up better ground than that if he hoped for a majority on division. He (Mr. Carleton) would ask again what the Government hoped to effect? By their own showing, they imposed protective duties in order to enable the Colony to run itself deeper into debt. The object must be estimated at its worth. The Treasurer's third argument was, "that time would vindicate the soundness of his proposal." He thought it very likely that time would seem to vindicate it, and that the Treasurer might presently be able to turn round in triumph and say, "I told you so." He could not say how the House would divide on the present occasion, but he believed that protection, whether it ought or ought not to be, was inevitable in the long run in this Colony. He would tell them why he thought so, and why he looked upon it with suspicion. Judging from experience, he considered protection to be an adjunct to democracy, and, therefore, was a mistake. It was curious how everything was inverted at the antipodes. In England, protection had a certain aristocratic savour about it; at the antipodes it was ultra-democratic. They had seen, in the first place, the democratic tendency to protection in the United States. No one who has any real knowledge of the history of the American war could doubt that the cause of the rising of the South was, not the slavery question, but the oppressive tariff imposed for the benefit of the manufacturers of the democratic North. Again, they found protection a popular cry in Victoria, a colony which ought to be a warning beacon to New Zealand, to show them what they ought to avoid. He believed the Colonial Treasurer was right—that protection was coming, sooner or later: they had already got the ballot; the ballot would bring in universal suffrage; and universal suffrage would bring in protection. To those who thought otherwise—who believed in the Divine grace of numerical majorities, to read about, a short extract from Sismondi, of whom, in political economy, he was a humble disciple; possibly, because that great man was one of the furthest removed from the grinding, money-grubbing school of Manchester. The passage was as follows:—

"The ignorant populace, given almost up everywhere to retrograde prejudices, will refuse to favour its own progress. The more ignorant the people are, the more are they opposed to all kind of development, the more are they deprived of all enjoyment, and the more are they obstinately,

angrily, attached to their habits, as to the only possession they have left; like horses which in a fire it is impossible to force out of a stable in flames. Count the voices in Spain and Portugal, they will be for the maintenance of the Inquisition. Count them in Russia, they will be for the despotism of the Czar. Count them everywhere, they will be for those laws, for those local customs, which most require to be corrected; they will be for prejudices. It would seem that this word, appropriated to opinions, adopted by vulgar minds, without discussion, says enough; it suffices to teach us that the masses hold to opinions ready made—that only the small number of thinkers rise above them to consider them anew."

He (Mr. Carleton) could scarcely think the Government would get a majority on division, yet he was not sure that there was not some leaning towards protection in that House. He had watched the House for some years; he had observed it with great care; and he had marked, among other things, the voting upon former customs tariffs. He was quite aware that no one liked the word. "Protection" had an ugly sound, and was supposed to be, in the cant of the day, "illiberal"; but he had always observed that whenever a duty was proposed which favoured any colonial production, there was very little said about the matter, but it was very quietly voted without debate. It was very possible that he might have overrated the feeling of the House in favour of protection; it was possible that the very division that night would show him that he had done so; but he had always had a strong feeling that the principle of protection had a hold upon the House, and that it had even a stronger hold outside. It was possible he might have overrated the feeling; or, again, it was possible that the House might be more inclined to cry down a word than the thing itself. Possibly the House might like the thing if they could only get rid of that ugly word, which might compromise the credit of those who profess much liberalism. To conclude, he had been shown no reason why he should vote for the protection tariff. He was open to conviction at that moment, but he had never been biased by a popular cry either for or against; and he had heard many a popular cry on either side. If good cause could be shown him he was ready to vote for the Bill; but it had not been shown him yet.

Mr. CRACROFT WILSON, C.B., had no desire to detain the House, at that late period of the session, by any very lengthened remarks. There were other gentlemen besides the last speaker who had read books upon political economy, and he would be the last to put a duty upon corn, grain, or flour, unless that he did it, as at the present time, as a retaliatory measure. If a man gave him a blow in the face, he would soon settle the account with him. Australia had put a tax of 3d. per bushel upon grain from Canterbury and New Zealand generally, and the price of grain being about 1s. 9d. per bushel that amounted to a prohibitory duty, and took away all the profit from the merchant. He would therefore put the same

tax upon their corn, and for the reason that they might see the folly of what they had done, and when they had taken off their duty he would be the first to assist in taking off the duty which he would now endeavour to have imposed.

Mr. SWAN would vote against the measure. He could not approve of the principle of retaliation as alluded to by the honorable member for Coleridge. He thought that a very weak argument. Because the people of Otago had made a blunder, was that a reason for our doing the same. He had taken the trouble to make a calculation as to the effect of the Bill, and he found that the Colonial Treasurer proposed an increase, if the consumption of next year were equal to the last, of £19,699 15s. 5d. upon certain articles. Every one of those increases was upon an article of consumption—articles that were used by the great mass of the people, used much more extensively by them than by those who would be benefited by the protective duty on grain. In decreases he found that it was proposed to take off £19,102 19s. 5d., which was very nearly equal, the difference being £596 16s. With the exception of the decrease upon sugar, which would amount to about £8,000, the decreases would not go into the pocket of the consumer, but would go into that of the importer and merchant. The decrease on sugar would benefit the brewers to some extent. Brewers obtained a large profit for colonial beer. At one time he (Mr. Swan) supplied, on account of other persons, the whole of the Waikato with beer, and he found that, from the price at which it was sold, the retailers were able to realize a profit of 100 per cent. profit, even though it was at that time only threepence a glass. The brewers had certainly no cause to complain. He found that the whole of the balance of the decrease, after excluding sugar, was for the benefit of one class of the community. There was a remission on bags. Well, who used bags but agriculturists—corn, potato, and oat growers. That proposal would benefit them to a considerable extent. At present they were able, in Auckland, to make bags out of New Zealand flax, and therefore the Colonial Treasurer proposed, for the benefit of certain classes, to go against the principle he enunciated in favour of native industries, which would be, if not interfered with, successfully carried out. Then there was fencing wire, nails, tacks, &c. Who used these? The great runholders. A gentleman—a member of that House—had stated that he had no less than 150 miles of wire fencing on his run. By the Colonial Treasurer's proposals, they sought to confer a direct benefit upon a class that should be the last to receive consideration at their hands, namely, the runholders. Almost every article that was eaten or drank, and nearly everything that was worn, were included in the increases, so that the whole scheme appeared to him to be in favour of a small class of the community—whether for purposes of political support or not—and that class was not the one that should be benefited by an alteration in the taxation of the country. With regard to corn and grain, the Colonial Treasurer pro-

posed to impose on the article of maize £2,238 upon 107,425 bushels. Now, as there was no maize grown in the Middle Island, why was the extra duty placed upon maize, which was used exclusively by carters and other persons who worked for hire. By the increases proposed, and the additional taxation, it would be found that the consumers would be additionally taxed to the extent of between £20,000 and £30,000. There was another argument pertinent to the question. During the debate upon the Government policy they had heard the statement that labour was so high in the Middle Island that it would not pay to grow corn or wheat there. It was therefore argued that they should introduce more immigrants; but now they sought to put more taxation upon the labourers they had got, and, on the other hand, seek to bring in additional labourers to reduce their wages. That was an argument against the second reading of the Bill, which he would oppose at every stage.

Mr. H. S. HARRISON looked upon the measure as a great encouragement to native industry, and having no connection whatever with the revenue of the Colony. He did not approve of the idea of reciprocity possessed by the honorable member for Coleridge. He did not see why this country should stand alone in the circle of colonies which had adopted the principles of free trade. He would therefore support the Bill.

Mr. MCGILLIVRAY said that it was not often he troubled the House with remarks, and he wished to give his opinions upon the subject under consideration, not that he wanted to enter into any elaborate discussion upon free trade or protection; the subject had been already exhausted by abler men. He would rather see free trade the order of the day than any protection whatsoever—even if direct taxation were declared for. He believed far greater evils arose from restrictions upon trade than had ever arisen from free trade. It was interesting to observe the effect of the strike upon the ship-building trade in London. It had the effect of driving the trade to the cheapest market and to the place where fuel, iron, and other materials were more easily obtained than on the Thames, and the like result would be found to follow wherever protective duties were imposed. Now the proposed alterations in the tariff appeared to him to press rather heavily upon the poorer classes of the community, and more especially upon the mining population, whose main subsistence and comforts depended upon articles enumerated in the Bill, such as butter, cheese, flour, preserved meats, fruits, and so on, and more especially was that the case in reference to the duty on blankets, and such like coverings. He held that to be a most objectionable duty. To be sure, it had been said that the miners purchased very few blankets, or rather that they purchased them at remote intervals, but imposing the proposed duty would not have the effect of encouraging cleanliness. The little he knew of free trade amounted to this: that if they had good articles and plenty of them, they would soon find a market and they would protect themselves. He remembered when he went down

to the place where he resided, and which he had the honor to represent, onions, potatoes, &c., were delivered constantly there from Tasmania. Now there was nothing of the kind, because they grew sufficient for themselves, and they had commenced to export to the colony of Victoria. Far sooner would he see even an *ad valorem* duty placed upon fine cloth, silks, and shawls, than upon blankets. He had been informed by one of the merchants of Wellington that there was as much duty upon 30s. worth of blankets as upon £100 worth of silk. It was reasonable that they should be permitted to have plenty of preserved meats. If, also, they had cheap sugar they could turn their fruits to some account. They could grow fruits to any extent in this country, and, by cheapening sugar, they could make preserved fruits a staple of exportation, and an article of domestic industry. That would be of great importance in an industrial point of view. With regard to wheat and flour, they involved, in reference to the question, a more knotty point than others. In the first place, they had a tax upon seed corn, which was a disadvantage to the farmer, as he would be obliged to fall back upon Australian wheat to change his seed. He found the Colony placed in a somewhat singular position as regarded breadstuffs. In Canterbury he found the price of the 4lb. loaf to be 5d., while in that part of the country where he resided it was 10d., and had been so for a considerable time. He had remonstrated with an intelligent baker in his neighbourhood upon the price of the bread, and he replied that provincial flour would not produce a sufficiently good article for his customers, and he was, therefore, obliged to mix Australian flour with it to render it a presentable article.

Mr. CRACROFT WILSON, C.B., asked if the honorable member believed that there was really any Australian flour in the bread about which he was talking.

Mr. MCGILLIVRAY could only say that he had been so informed, and that Australian flour was to be found in almost every household. The question appeared to resolve itself into this: could the Colony grow sufficient for its own consumption. If it did, the importation of flour would soon die out, and if it did not, then he maintained that it was quite useless to tax themselves for the necessities of life, and, at the same time, without any appreciable advantage to the producer. It had been said that Canterbury could grow any quantity of wheat. In that case, why did they not grind it? They had plenty of water-power to do so, and, if not, they had abundance of wind. Could they not send their flour both North and South, and, if good, the people of the Colony would give it the preference as being colonially grown. Now, there was another principle embraced in this question, which was, that what might be advantageous in one part of the country might not, in this long-shaped colony, be suitable in others. As an example of that, he had already mentioned the subject of flour. While a little protection might be useful to the farmers of Canterbury, it would not suit his district at all, for he had no wish to bring the

loaf up to 1s. He might mention another article as illustrating his meaning—that was, the article of malt. Brewers and maltsters had asked him whether an additional duty should not be placed upon malt. It was said that 6d. a bushel was out of all proportion to its value, and also out of proportion to the duty imposed upon spirituous liquors. He had replied that if they produced a sufficiently good article it would protect itself, and things might thus be allowed to find their own level. Before concluding, he wished to say that, in his opinion, it would be much better to do away with customs duties altogether, and have recourse to direct taxation. The customs revenue was likely to be greatly affected by the growth of various articles in this country which now paid a very high duty. If spirits became generally manufactured in the country, what would become of the revenue derivable from that article. Again, supposing tobacco were cultivated, as it might be in the North Island—that article described by Cowper as

Pernicious weed that banishes for hours,
The sex that civilizes ours.

If the “pernicious weed,” as the poet called it, were grown in the Province of Auckland, which it might be to any extent, and cigars were made, it would very seriously affect the revenue. These were grave considerations, and he believed it would be far better to abandon customs revenue altogether, and have recourse to direct taxation.

Mr. CREIGHTON would not presume to prolong the debate, inasmuch as the House did not appear to be in a temper to bestow much attention on the Bill, although he regarded it as the most important measure that had been submitted to its consideration during the present session. He would not now have risen to speak on the subject had it not been that the Colonial Treasurer, in the short speech he made in moving the second reading of the Bill, had stated that the theories of free trade could not be applied to the circumstances of a new country; and he inferred that free trade might be all very well in an old settled country like England, but that it was not at all applicable to the circumstance of a new country. He would meet that statement by a reference to facts. A protective tariff had been adopted by the United States of America, which was a new country,—and the result of the operation of that tariff had been put forward by Mr. Commissioner Wells, in his annual report to Congress, published last December. From that report it appeared that the principle of protection, when applied to a new country, worked unlimited mischief. He would not weary the House by reading the entire of the extracts which he had made from Mr. Commissioner Wells’ report, but with its permission he would read one or two extracts from that report in confirmation of what he had just stated. He quoted from the Melbourne *Argus*, which in this case summarized the report:—

“Protection accompanied the citizen of the United States from his morning bath to his evening pillow, entered into the warp and woof of his garments, communicated an unpleasant flavour to everything he ate and drank, and exercised a

sinister influence over every transaction of his daily life."

And this is the net result. Mr. Wells says:—

"The great mass of the people have had their incomes and their scale of comfort greatly reduced since 1860. Nominal wages are indeed higher, but the purchasing power of what is called money is so much diminished that the industrial classes have lost their former command of modest luxuries, and are restricted in their enjoyment of the barest necessities of life. The ratio of paupers to population has greatly increased. The appraised value of property has not kept pace with the former rate of increase. We have fewer houses in proportion to the number of families, fewer domestic animals, a smaller percentage of profits on capital invested in business, and a stunted growth in every department of production. Some important branches of business, like ship-building, are in a state of almost total collapse. Our navigation interest, prostrated by the war, does not revive. We are every year sinking more deeply in debt to foreign countries."

Mr. Wells, in his report, made full allowance for the losses to trade owing to the late war; and he went on to discuss the question of protection:—

"Theoretically, protection professes to stimulate production, to increase employment, to steady prices, and to diffuse prosperity. Practically, this is how it works in America. It has always been either 'high or low water'; no middle course, and no stability. What the people gain as consumers at one time from low prices, they more than compensate for at another by the recurrence of extreme rates, and, as producers, by periodical suspension of industry, reduction of wages, and depression of business. Meantime, the loss to the country, from the destruction of capital and the waste and misapplication of labour, is something which no man can estimate."

Mr. Commissioner Wells again says:—

"There would, therefore, seem to be but one available method of tariff reform; which is, to adopt the same course that has been taken in respect to the reforms heretofore made in the internal revenue, and which, furthermore, finds a precedent in all the experience of Great Britain in legislating upon these subjects, namely, to make such modifications or removals of duties, year by year, as experience or the condition of the treasury may indicate as practicable and desirable; and thus, by pruning rather than by reconstruction, to gradually attain the greatest degree of simplicity and effectiveness with the least possible burden upon industry and the people."

With regard to American shipping, to which reference had been made, he might say that a Congressional Committee was appointed to take evidence with regard to that interest, owing to the representations made to the Executive. They took evidence in Boston, New York, and Philadelphia. The general testimony of the ship-owners was to this effect: that it was the protection which had been given to the shipping interest that had rendered ship-building unprofitable; and that,

before the trade could revive, they must have a return to free trade. They had thus the anomaly exhibited in America of protection—a marine engineer asking for free trade. Mr. Steinmer, who built forty iron ships, during the war, for the United States navy, gave the following testimony at New York:—

"American iron is better than that of England. If duties were abolished on the latter, it might at first be used here for building, but the American article would finally supersede it, on account of its superiority. The iron war steamers built by him here in Portland, Boston, Chester, Wilmington, Pittsburg, St. Louis, and elsewhere, had often grounded, but had never had holes knocked in them. The duty on materials for wooden ships amounted to \$6 to \$8 a ton; that on iron ships to \$10 to \$12 a ton. Our ship-building shops were better before the war than those in England, and had more labour-saving machinery in them; but, since the war, had deteriorated, and were perhaps inferior. Iron ship-building would not require a new class of builders. Builders of wooden ships would adapt themselves to the new work, understanding the general principles. Labour and materials are now cheaper here than during the war. England is now furnishing iron vessels to France and Germany. If built free of duties, American ships would make more money than foreign vessels, as they are swifter and stronger, and more in demand for freight. If foreign vessels were to be admitted under American registers, the tendency here would at first be to buy vessels abroad, but finally, owing to their superiority, American-built vessels would be preferred. If duties were remitted, iron vessels could be built as cheaply and quickly here as on the Clyde or Thames."

The result of the report of the Congressional Committee on ship-building was, that the import duties on iron and other articles used in the construction of ships had been abolished. The effect of "protection" was admitted to have been this, that it protected the ship-building interest of the United States out of existence altogether. He would read another portion of Mr. Wells' report, to show the effect of protection upon the growth of wool and the manufacture of woollen goods in America. This was the more interesting, inasmuch as wool-growing was a staple industry in the Colony, and the Premier had communicated with the United States Government, suggesting that New Zealand wool should be admitted duty free. The experiment was for two years. Mr. Wells said:—

"In March, 1867, an Act was passed by Congress, increasing the duties on the importation of wool and woollens to a degree unprecedented, and far in advance of the average rate of the then existing tariff. The object aimed at was to promote alike the interests of the grower of wool and the manufacturer of fabrics. The results attained to, however, have been so remarkable and so contrary to expectation, that a detailed history of the whole movement deserves to be put on record, as a most important contribution to politico-economic science, and as affording a

new and most striking illustration of the impolicy of the oft-renewed effort to unnaturally influence the course of industry and trade by a resort to legislation.

"The breaking out of the war in 1861, and the curtailment of the usual supply of cotton, created, both in the United States and in Europe, a greatly-increased demand for wool and for woollen fabrics, and prices, as was to have been expected, advanced in proportion. Domestic fleece wools, in New York, rose from 35 to 48 cents per pound, in April, 1861; to 90 to 117 cents in August, 1864; and manufacturers who had stock on hand or contracted for, during the first years of the war, or who afterwards bought progressively, realized immense profits.

"At the close of the war (which was followed by a marked decline in the prices of wool), a number of gentlemen claiming to represent the wool-growers of the United States, but who appear to have been more especially interested in the breeding of sheep than in the growing of wool, conceived the idea, that if all foreign wool could be shut out, by legislation, from competition with the domestic product, the war prices of domestic wool could be maintained, and great gain be thereby made to accrue to all concerned. Measures to accomplish this object were accordingly set on foot, and as the scheme looked especially toward the promotion of the interest of the agriculturalists of the country, it gave promise of success from its very outset. Meantime, the manufacturers of wool, clearly perceiving that a restriction of supply and increase in the price of wool would place them at a disadvantage in respect to foreign competition, became alarmed, and proposed a co-operation to the Wool-grower's Association. The offer was accepted, the parties entered into union, and, by means of delegates, entered upon their work. What was this work? Not to increase the revenue of the national treasury; not to promote the interests of the great mass of the people, to whom woollen fabrics are almost as much a necessity as food and shelter; not to increase the wages or comforts of the labourers who grow the wool or manufacture the cloth; but simply and exclusively to influence legislation for the promotion of their respective private gains and interests.

"The basis of the agreement on which the two interests united, was substantially as follows:—

"That the duty on raw or unwashed wools and hair, other than wools adapted for carpets, should be fixed at rates varying from ten to twelve cents per pound, and from 10 to 11 per cent. *ad valorem*. In order, then, to compensate the manufacturer for such a prospective enhancement of the price of his raw material, it was agreed that, in consideration of the fact that four pounds of the cheapest imported wool (mestiza), paying an aggregate duty of forty-six cents, were sometimes employed in the fabrication of a pound of finished cloth, the duty on cloth should be fifty cents per pound, and on other fabrics of wool of varying weight, a duty in like proportion. In order, next, to give the manufacturer protection against his foreign competitor, 25 per cent. *ad valorem* was

added; and in order to further compensate for the payment of an internal revenue tax of 6 per cent., which tax was repealed in the succeeding year, 10 per cent. more was added, thus making the aggregate duties on cloth, shawls, and woollen goods generally, fifty cents per pound and 35 per cent. *ad valorem*. It will thus be seen that if the manufacturers, as is often alleged, did not enter into the arrangement for an increase of duties through their own seeking, they nevertheless managed to secure full compensation for all that was granted to the wool-growers; and in addition to that, through force of subsequent circumstances, an additional protection in excess of what, according to their own showing, they considered necessary.

"Nearly two years have elapsed since these measures were consummated, giving ample time for experience to test the principle. And what, to-day, is that experience?

"1st. Wool to the agriculturalist at a lower price in gold than has almost ever before been experienced; the average price of medium American washed wools from 1827 to 1862 having been 42 8-10 cents per pound (gold), while the average price of Ohio wools for the year 1868, reduced to gold, was only 35-21 cents; which is less than the average price of 1858, when, under the influence of the disastrous crisis of 1857, a large portion of the mills of the country were standing absolutely idle. For the year 1859, the price paid in Ohio for medium wools, according to estimates presented to the commissioner, has been about 43 cents, currency.

"2nd. A decrease in the number of sheep in the United States, estimated by the commissioner of agriculture at four millions for the single year, 1868, while other authorities place the total decrease as high as 25 per cent. since the passage of the wool tariff.

"3rd. A condition of the woollen manufacture characterized by a greater depression than that of any other branch of industry in the country, with the exception of ship-building; small profits accruing to a few, heavy losses to the many, with numerous and constantly recurring failures. At the date of writing, November, 1869, the attention of the commissioner is called to the sale of a woollen-mill property, which will give to the stockholders \$105,000 upon a capital of \$700,000, thus showing a loss of 85 per cent. of the whole capital in from four to five years of operations.

"4th. An increase in the importation of foreign fabrics of wool; the imports for the fiscal year 1868 being returned at \$32,458,884, and for 1869 at \$34,620,943.

"5th. Encouragement of smuggling, and its apparent reduction to a system."

The report then points out that Cape of Good Hope wool, which was prohibited by the tariff, was admitted duty free into Canada, manufactured into cloth, and found its way into the States under the reciprocity treaty.

"The manner in which the present extravagant duties on the importation of foreign wools operate to prevent the prosperity and extension of the domestic woollen manufacturing industry, and to

reduce the price of domestic wool, is a matter not difficult of explanation.

"The wools of the United States are mainly the merino clothing wools, which can be produced in any quantity, and at prices which defy foreign competition. Wool has been raised in Texas during the last year (1868-69) in large quantities, at an estimated cost of seven cents gold per pound, and has commanded readily in the market twenty-five cents gold per pound. It is furthermore to be noted that German Saxon wool, which during the past year has touched the lowest price almost of the century, could not now be imported, even in the absence of all duty, and sold at so low a price as the average prices which the X X Ohio wools have commanded during the past season in the New York market.

"On the other hand, wools which the existing tariff excludes, are mainly wools which are either not grown in the United States, or grown in very limited and insufficient quantities. The American manufacturer, therefore, being restricted in the selection of his raw material, is, of necessity, restricted in the variety of his products; and the great quantity of machinery brought into existence by the demands of the war has, in consequence, been forced, in great part, into one line of production; overstocking the market with certain descriptions of fabrics, unnaturally reducing prices, restricting diversity and extension of production, and bringing disaster upon the whole business of wool manufacturing.

"What is now needed to restore prosperity to the woollen industry is a removal of all duties on the importation of foreign wools and dye-stuffs, and a general reduction of the duties on manufactured woollen fabrics of every description to 25 per cent. *ad valorem*. On this basis the most experienced woollen manufacturers of the country assure the commissioner that they can at once extend, diversify, and secure prosperity to their business. On this basis the cost of domestic woollen fabrics will be so far reduced as to give great relief to the consumer, and lead to an immediate and largely increased consumption. And on this basis only can the wool-grower expect any immediate increased demand for his staple product of his merino fleece; while, in respect to the combing and the finer wools, it is sufficient to say that the supply of these wools has not for the last few years increased in proportion to their consumption, and that the extension of their use in American industry, which would inevitably follow a remission of the duties upon their import, would so far increase their demand as to give to the domestic producer all the encouragement that would prove necessary."

This experience was of essential value to them in New Zealand, where woollen factories were sought to be fostered by a protective tariff. They had an instance also, nearer home, of the pernicious effect of protective duties, in the experience of the neighbouring colony of Victoria. The practical result of the protective duties of Victoria was reviewed, in a very able statement, by the late Chairman of the Chamber of Commerce, Mr. Lorimer, who, by the way, is also the father of

the new movement for a customs union of the Australian Colonies;—an astute man of business, who saw that unless Melbourne were made the great commercial centre of these colonies, the whole mercantile and manufacturing interest of Victoria would be ruined by the protective tariff.

Mr. MAIN hoped that the honorable gentleman, after reading the arguments on the one side, would give the House the benefit of the arguments upon the other side.

Mr. CREIGHTON was sorry that his honorable friend had not adduced those arguments himself. Modesty was not a prominent feature of his character, and when the honorable member (Mr. Main) was ashamed to stand up in defence of his principles, they must be very bad indeed. He was referring, when interrupted by the honorable member, to Mr. Lorimer's address to the Melbourne Chamber of Commerce, in which he reviewed the operation of the protective tariff of Victoria. His speech was summarized in the Melbourne *Argus* and in the *Sydney Morning Herald*. The *Argus* of 25th April, 1870, says:—

"The result of the fiscal legislation of the past few years cannot be very gratifying to its authors. They have succeeded in hampering commercial transactions, and partially destroying a valuable intercolonial trade, but have failed altogether to put a stop to those articles of import which they declared to be especially adapted for local production, and on which they consequently bestowed a large measure of their deadly attention. But of all the "fantastic tricks" which our political empirics have played off upon their ignorant dupes, none perhaps is so likely to exercise a disastrous influence on the future welfare of this country as that which gave artificial encouragement to the establishment and multiplication of clothing factories. No matter in what light we view them, they appear equally undesirable channels into which to direct the industrial energies of our female population. The ex-President of the Melbourne Chamber of Commerce, in the course of his farewell address on the occasion of the recent annual meeting, stated that during the past year the clothing factories have made little or no progress. 'As might have been foreseen,' he went on to say, 'legislative interference with the natural growth of this industry has tended to over-production, and a great want is now experienced for markets more extensive than those available.' The inevitable consequences of such a state of affairs must necessarily be, reduced prices and, consequently, low wages. At present, the rate of remuneration to those employed in the manufacture of ready-made clothing is extremely small. A few prizes, doubtless, fall to the lot of those who exhibit exceptional skill, but a large majority do not earn one-half, at the trade, of what they would receive as domestic servants—of course taking the cost of board and lodging into consideration."

But this was not all. They had, from a gentleman engaged in domestic manufactures in Victoria, a still more recent testimony on the subject. The Melbourne Chamber of Commerce, at the end of last month, met to consider the result of the in-

tercolonial conference with regard to the customs union for the Australasian colonies. At that meeting, at which Mr. Lorimer was present, as well as the leading commercial and manufacturing men of Victoria, a very important statement was made with regard to the experiment of protecting natives industries and fostering local manufactures. Mr. Bailey, who was a member of a large manufacturing and importing firm, in moving one of the resolutions, spoke in the following terms:—

“The imposition of *ad valorem* duties upon articles of clothing and drapery imported into the colony had, no doubt, led to the education of a large number of persons for the work of manufacturing such goods who would not otherwise have entered into it. But the effect of that constant education had been to overstock the labour market in one particular direction, to incite the undue competition of persons with or without capital, and to unnecessarily and unwholesomely stimulate a certain industry, which had led to the overstocking of the market to a tremendous extent. He would undertake to say that even if no articles of wearing apparel were made in the ordinary way in the Colony during the next twelve months, there was more already in stock in the hands of manufacturers than could be consumed by the entire community in that time. If capitalists had been let alone, they would soon have found the way to build up industries of that character, and in a more solid and substantial manner than those now in existence. By an arbitrary process of law, merchants who had employed their capital in the promotion of a particular branch of business, had been compelled to change their occupation, and direct their capital into another source; that is to say, into local production instead of importation. They had only done so at a loss to themselves, and by submitting to sacrifices of an enormous extent upon all imported stock held by them at the time such duties had been first imposed. The result was, that too many had embarked in one special industry, and this had led to the markets being overstocked with goods which could not be disposed of at anything like a profit to producers. It would have been wiser had the Victorian representatives had the moral courage to declare to the voting power of the country what the result of the working of the tariff was, instead of weakly yielding to whatever outcry the masses of the people chose to raise.”

He thought these examples were sufficient to show that protection had not proved successful, in two new countries at least. He would now, with the permission of the House, read an extract from the biennial message of Governor Haight, of California, to the Legislature of that state, in which the whole subject of bonuses and free trade was discussed, and the result of the working of the protective tariff of the United States in the Pacific States of the Republic was very clearly set forth. Some honorable members had, during that debate, and also at various times during the session, advocated a system of bonuses: the experience of California certainly was not favourable

to the adoption of that system. After stating how awards for the establishment of the silk industry had been set aside by proceedings in the Supreme Court on account of fraud on the states, he proceeded to say:—

“The principle of paying premiums to any person for engaging in any particular occupation is sustained by somewhat the same reasoning which sanctions a protective tariff, and is equally vicious and indefensible; but, aside from the principle involved in this class of laws, the claims in question were a manifest abuse. The enactments of 1862, 1866, and 1868 are loose and unguarded in their provisions, and if any good could ever arise from them it has been accomplished. The Act of 1868 will expire, by its terms, at about the close of this session, and I recommend the repeal of the Act of 1862, as there are a number of perplexing questions which might arise under it, to the great detriment of the public revenues, if adjudged against the state. In monarchies, where the people are kept in leading-strings, and business is to some extent dictated and controlled by Government, the propriety of offering premiums for establishing any particular business may not seem so apparent; but in this country, where the people are generally intelligent and well informed, and absolutely free to invest their labour and capital wherever it will be most remunerative, it is more in accordance with sound reason to leave the whole subject of agriculture, commerce, and manufactures, to be prosecuted in any form by each individual, in accordance with his judgment of the profits to be derived from his investment. When men's fortunes are involved, they will investigate more closely and judge more correctly than legislators can possibly do, and the policy of forcing capital out of one channel into another, either by protective duties or bounties, is rapidly meeting with general disfavour. Such artificial forcing produces no healthy growth, and is not within the legitimate province of Government; besides, it degenerates almost always into combinations to plunder the treasury for private benefit. If Government will confine itself to its legitimate sphere in the protection of life and property, the business men of the country, whether farmers, merchants, or manufacturers, will determine for themselves in what channels their labour and capital can best be employed, and to what subjects they can best be applied.”

His Excellency Governor Haight then went on to speak of the agitation prevalent in the United States for the repeal of the Morrel tariff, and his words might, with slight variation, be applied, with great propriety, to our own particular circumstances at the present juncture. He said, speaking of national affairs,—

“The late election in this state resulted in the defeat of the political organization to which we owe the burdens of the protective system, inconvertible paper currency,—styled by Mr. Webster ‘the greatest of political evils,’—military trials, and the various attempts to override the Federal constitution, or change it so as to extinguish its original spirit, subvert the rights of the states,

and centralize unlimited power in the Federal Legislature.

"The Pacific states, it is confidently believed, will be found a unit in favour of free trade, a specie currency, the exclusive right of each state to regulate its domestic concerns, and in steadfast opposition to all propositions to destroy the landmarks of the constitution and vest absolute authority in the Federal Congress.

"The constitutional party is triumphant here, and its triumph throughout the Union will not be long delayed. It cannot, however, be promoted by any unworthy political expedient, by abandonment of principle, by any compromise with manifest error, or by giving any countenance to fraud or profligacy in legislation.

"Absolute and unconditional free trade, a specie currency, the payment of the public debt in gold and silver, which alone is money, a strict construction of constitutional powers, local self-government, which is but another name for liberty, opposition to all centralizing tendencies, a just regard for the welfare and interest of the industrial classes, and a pure administration of public affairs—these principles and this policy will alone deserve and command permanent success."

He was not going to discuss the question of protection *versus* free trade. What he wanted to show was that protection was not suited to a new country any more than to an old country. On a previous occasion he took an opportunity of discussing the impropriety of imposing a duty on corn, and he thought he had shown the fallacy of attempting to protect an export, which was the proposal in regard to New Zealand. This Colony produced more breadstuffs than its population consumed; why, therefore, a protective tariff? There was this peculiarity, however, that one section of the Colony was producing this surplus whilst another portion was importing. The effect of levying a duty on breadstuffs, at the present time, would be to impose a differential duty—a duty upon one section of the Colony for the benefit of another. He would not occupy the time of the House any longer; he was extremely sorry that the Colonial Treasurer had proceeded with this Bill. The Government might have retired very gracefully from the awkward position in which they were placed, by withdrawing the Bill and introducing a Bill legalizing the collection of duties to the end of September. He was sure the House would have passed such a Bill through all its stages that night. As it was, he should be compelled, reluctantly, to vote against the second reading of the Bill. He did it reluctantly, because the Bill was very skillfully drafted, and, in voting against the second reading, he would be voting against the remission of taxation. Notwithstanding that, and it was an awkward position in which to be placed, he would support the amendment.

Mr. BRADSHAW did not think it necessary to say many words on the subject before the House. Honorable members had made up their minds to reject the Bill, and it was evident to him that the arguments were all on one side. The Colonial Treasurer, in his financial statement, said

that he would derive £5,000 of revenue from the measure. Now, he had worked out the whole of the figures, and he found that the amount of taxation on the articles which he intended to impose additional duties was, in 1869, £22,010. The taxation on the same articles for 1870, would be £65,965; the total amount against the consumer would be £43,953; and, deducting from that the decrease, which was £19,459, the actual loss to the consumer would be £24,494. The amount of taxation collected on cereals, for the present year, would be £21,524, and to the £24,494 imposed by the Colonial Treasurer there must be added an equal amount which would be imposed by the importer and the storekeeper. One of the arguments used by the Colonial Treasurer in favour of his measure of protection, was, that farmers in this country had to pay for the construction and maintenance of roads. That was not a new thing; farmers in other countries had to do the same. The honorable member also said the profit on the production went out of the country; if that were the case surely they got something in return. The goods which they got in return for the produce exported was the actual wealth of the country. The effect of the duty would be to deprive the country of that amount of profit which it received by exchanging its commodities with the commodities of other countries. With regard to the corn-growers of Canterbury, they wanted no fostering, because they were producing more than they could consume, and what they wanted was a market for their produce. The Colonial Treasurer said they must have that market in this country, and must not export—which meant that they must live upon their own fat till it became so bare that they would starve. He wished also to refer to another important question which had been discussed this session, and which showed, to his mind, that Ministers really did not know what they were about—that they were really at variance with each other on the question. The Premier wrote a letter recently to the President of the United States of America, urging upon him the desirability of opening their ports for the purpose of letting New Zealand wool in free; and he argued that, by the manufacture of the article in America, they would compete with the labour of England, and yet at the same time, while using these arguments with America, he was impressing upon our Commissioners in England to urge the Imperial Government to assist us with their money, taken from the wages of the people of England. The Treasurer now proposes to put a duty on American grown grain, in return for the concession which is urged by the Premier in favour of our wool. The thing was absurd, and he would therefore vote against the measure.

Mr. McINDOE had no desire to trouble the House with any lengthened observations in giving his reasons for voting against the Bill introduced by the Government. There were two articles upon which he would never consent to impose a duty, namely, flour and salt. The best rule they could have was the experience of great Britain. They found there, that as the duty was removed

the revenue upon the article annually increased. He was in favour of direct taxation, as it would make the taxpayer look more strictly to the expenditure, which would tend very materially to promote the best interests of the Colony. He had one other reason to urge against the passing of the Bill, and that was, that it proposed to reduce the taxation upon a class of people who were then the most privileged class in the community, namely, the runholders. It proposed to take the duty off articles which they used very extensively, such as fencing wires, nails, and tacks. The runholders were the last to whom any further privileges should be extended. Instead of taking the duty off such articles, they should impose a tax upon wool. For those reasons he would certainly oppose the Bill.

Mr. TAYLOR said that to him, as a disciple of free trade, the Bill was extremely unsatisfactory, and he had reason to regard it as legislation of a retrograde tendency. If the Government came down with the tariff for the purposes of revenue, he would agree with the Bill with all its faults, but as it was, he would certainly vote against it. It struck him that they might leave the manufactures of the Colony to the natural instincts of the population. As soon as manufactures became payable, the people would take them up. If they passed that Bill, Australia would retaliate, and they all knew what the meaning of that was. He thought the duties imposed upon various articles by the Colonial Treasurer to be most objectionable. He did not like to see duty imposed upon flour and grain, which were so material for the working classes. There was no one upon whom the imposition of such taxes fell more heavily than the working classes, and he would therefore vote against the second reading of the Bill.

Mr. RICHMOND said that as the Government had virtually abandoned the Bill, it was not necessary to argue its provisions. The abstract arguments upon the subject were to be obtained upon the shelves in the library, in which they would find it laid down that it was necessary for the good of a country that it should have free trade, while there were corresponding disadvantages in the way of protection. His object in speaking would be rather to address himself to the probability of protection becoming the order of the day in New Zealand, as he had heard it expressed by various gentlemen whose opinions were entitled to respect. The Colonial Treasurer, in moving the second reading of the Bill, did little more than assert that protection was in fact only a matter of time; that in a short time his Bill and his principles would be the principles adopted by the Legislature. There was often a great deal of harm done by allowing such assertions to go unnoticed. He desired to see so conspicuous a fallacy treated as it deserved. The Colonial Treasurer had brought out his flag of protection, but had failed to unfurl it upon the floor of the House. He agreed with the remarks of the honorable member for River-ton, that in a country like this, "long-shaped," as he had called it, and diversified, there never could

be that identity of interest in the matter of commerce, as to produce a general wish to bring about protection. Selfishness was at the root of protection, but he did not think that selfishness in this country would go to the extent of introducing what would, in the end, be injurious to the best interests of the Colony. If the thin end of the wedge, however, were once allowed to be introduced, the result would be—as in all other cases—that the people would only get a worse class of goods and pay more for them. The proposals contained in the tariff would not admit of examination as a question of revenue. No one could say, with a reasonable probability, what was likely to be the revenue from corn and flour during the present year. These articles did not assume a regular form in our trade. The growth of corn in the Colony had been rapidly increasing for years. Last year there was sufficient grown for our own consumption, but he did not know what it might reach this year. If it exceeded the consumption there was no necessity for protection, and, if it did not, the price of that imported rested on the consumer. As a means of revenue it was most extravagant, inasmuch as for every £1 that went into the exchequer in one year £10 went out of the pockets of the consumer. Then, what possible benefit was likely to arise from reducing the duty on sugar; it would not benefit any class of people but the merchants. To the individual it would only be a benefit to the extent of one-eighth of a penny, so that the benefit could not reach the consumer at all. As to the other items, he would wish that those on the side of decreases were embodied in a sort of Bill. It simply relieved the customs from the necessity of charges upon a large number of items. He did not believe they represented £1,000 amongst the lot of them. There had been no arguments used at all. The only honorable member who had used anything that could at all be considered an argument was the honorable member for Coleridge. He talked about punishing the Australian colonies for having put duties on our grain. They would punish themselves if they were obliged to import. Why should they punish the English importers, or American importers, or the importers of New South Wales, on account of the action of the other colonies in declining to assist them in the matter of the postal service. He was glad to see the tone the debate had taken, and hoped it would cheer up those who had taken his view of the matter, and that they would not allow themselves to be alarmed because any person chose to bounce them and say they would be ruined by protection.

Mr. BARFF said the debate which had taken place upon that Bill was the most remarkable he had ever listened to, as all the arguments were on the one side. He was surprised that some honorable member did not attempt to defend such a measure upon which they were asked to vote. That was not, perhaps, an occasion upon which honorable members should make long speeches; but they should state their reasons for voting in favour or against the Bill. He looked upon the measure as class legislation of the most objection-

able character, as it placed a heavy tax upon one class of the community for the benefit of another. He considered that the consumer was as much entitled to consideration as the producer. That measure, if carried into effect, would act very prejudicially to the interest of the district he represented. The proposed prohibition of duties would fall very hard upon the mining community. He looked upon the proposal to increase the taxation on bread as perfectly monstrous, as nothing was more calculated to do injury to the mass of the people than to raise the price of a loaf of bread. He must ask the indulgence of the House while he read a short extract, which conveyed, in a very few words, his own opinion with regard to the proposed taxation, as affecting more especially the district he represented; it was for the purpose of showing that everything they used was taxed:—

"We are, without doubt, the heaviest taxed people in the whole of the known civilized parts of the world. The General or Central Government taxes everything we eat, drink, or consume; we are taxed for everything we wear or use, or look at, or listen to, or smell, or taste, or feel. There is a list in the customs officer's possession of some four or five thousand different articles, raw, manufactured, or made up, all of which are subjected to duties. After the General Assembly, the Provincial Councils tax us, by all sorts of dues, and levies upon every description of enterprise and industry. Auctioneers are taxed, so are dogs, so are licensed victuallers, so are the followers of most callings. Then the Borough Councils step in and tax everything taxable. They levy general rates upon our houses and lands, and having done this they go in for special rates for the same. They tax everything that is landed from aboard ship; then the ships themselves. After the Borough Councils come the road boards, and they tax the owners of lands and tenements and holdings, and levy rates in every conceivable form. When the General Assembly, and the Provincial Councils, and the Borough Councils, and the road boards, have squeezed all out of us, what little is left of our substance is sucked from us by voluntary contributions, which assume the sort of demand made by the footpad in a lonely lane. 'No compulsion, only you must.' So we have to contribute to hospitals, and schools, and asylums; to churches and chapels; to sports got up by publicans for their own special benefit; to cricket clubs, amateur performers, to fire brigades, night watchmen; to keeping out the sea, or keeping a river, or making tracks, or provisioning prospecting parties who desire to go in search for gold, but who, as soon as they get out of the sight of the town, pitch their tent, and make themselves quite comfortable, and then, in a manner most agreeable to themselves, proceed to consume the provisions with which they have been gratuitously provided. . . . It is reckoned in New Zealand that every twenty shillings the dweller in a town spends, nine shillings and fourpence of it goes, directly or indirectly, in meeting the taxing requirements of the Colony. The paper on which I write is taxed, so also is the pen, penholder, and

ink. The desk my paper rests on is taxed. I light my taxed pipe with a taxed lucifer, filled with taxed tobacco. The knife I cut my tobacco with is taxed. The spoon I stir my tea with is taxed, so is my cup and saucer, my table, and my table cloth, my lamp, my kerosene, my everything that is mine; from the sole of my boot to the crown of my hat, round my girth, and to every part of me upwards, downwards, sideways, or across. There is nothing on the colonial earth, or in the colonial waters under the earth, or in the colonial heavens above, that is brought into use, or is consumed, or is done something with, that is not taxed. I believe that the General Government would pay a handsome bonus to any man who would inform it of any article that had been omitted to be scheduled and which could be taxed."

Mr. FOX said it had not been his intention to have addressed the House upon this occasion, as they already had enough of loose talk on the question—little scraps of free trade talk, but nothing that could be called a debate. He did not consider it a free trade question at all. His honorable colleague held protectionist views, which he (Mr. Fox) did not hold. If he were in the old country he would be a decided advocate for free trade; but the circumstances of the old country and the colonies were widely different. In the home country there was at all times an enormous population on the verge of starvation. In London alone, there were 250,000 persons dependent upon charitable aid. Besides this, there was a manufacturing population who could produce articles of general consumption for the markets of the world, who could not find customers to take them off their hands, and it became an object of the Government to find a market for those articles. There were two objects to be served by free trade: the one was to feed the people, and the other to find a market for the superabundant articles produced. With respect to the first object, there never was a country, in the history of the world, where food was to be had so cheap as in New Zealand, and where the means of obtaining food was so easily within the reach of the people. Honorable members had raised the cry of "the poor man's loaf." Let them look at what it would really come to if they imposed the tax of 4d. per bushel on grain. It would amount to about the one-fifteenth of a penny per pound of bread. It would perhaps increase the price of bread to that extent. Now, in a country like this, where bread was almost wasted, and beef and mutton thrown away, was that a sufficient basis upon which to raise the poor man's cry. The honorable member for Grey and Bell had stated that, as an article of revenue, it was hardly worth their notice. The honorable member's statement contained a great fallacy. The question of exportation and importation did not depend upon the abstract amount that was actually produced in the country. It depended upon the temporary demand and the capability of supplying that demand. Supposing wheat was fetching 8s. a bushel in England, there would be an export of all the grain grown in

Canterbury, and the people would be left, at the end of the year, absolutely without food. A vacuum would thus be caused, which would have to be filled by the importation of corn from Chili, Valparaiso, or some other place; and at the same time, if they were to export a million bushels of wheat from Canterbury, they would have to import some 600,000 later in the year. He did not stand up himself as an advocate for a protective policy, but he did not look upon this as a question of protection at all. They had a protective tariff already, and they were only adding cereals to the articles which were already protected. There was no doubt that the tariff was a protective tariff to a great extent, for they taxed nearly every mortal thing they could put a tax upon. The honorable member for Wellington had said that they would come to tax boots and shoes. Well, they did tax boots and shoes already, and the duty operated as a protection to shoemakers and tanners in the Colony. Beer was another article which was heavily taxed, and the protection which this tax on foreign beer afforded to the colonial brewers, had led to three millions of gallons per annum being brewed in the Colony. What was the difference between beer and bread? One was wet grain, and the other was dry grain; what was beer but moistened barley; and while they were willing to tax the moistened barley, they would not tax the dry grain. There was a great deal of inconsistency in that. If he thought that the passing of that tariff was putting in the thin end of the wedge to bring in protection in this Colony, he should vote against it. He merely wished to say, in conclusion, that he did not vote for this Bill from a protective point of view, but simply for the purposes of revenue, and to render our present tariff consistent with itself.

Mr. HAUGHTON said he believed they were discussing the second reading of the Bill: that was the time, he understood, when the principle of a Bill was discussed. The Colonial Treasurer and the Premier, who had just sat down, had said that there was no principle involved in the Bill. If there was no principle involved in the Bill, he failed to see any reason why they should be asked to read it a second time. If that Bill did not contain the germ of protection, he should like to ask the House what it did contain. It appeared to him perfectly clear that it did contain that principle; but his vote on that occasion would rest on the assertion that there was no principle involved in the Bill, and, therefore, he should give his vote for its being read a second time that day six months. He objected to the Bill for many reasons. He thought that the consideration of such questions should be put off until the constituencies of the Colony had had an opportunity of considering them and expressing their opinion at the elections. In the district which he had the honor to represent, and in which public opinion was represented by a body of electors, nearly all of whom were farmers, and who lived within a reasonable distance of the polling place,—and that was a very important matter in a political point of

view—they would be in favour of protection; but he did not see how 9d. per cwt. on corn would protect them. He thought they were protected enough by bad roads and mountain ranges, which would prevent any imported corn finding its way into the interior of the country; and he hoped shortly to have the pleasure of telling them so.

Mr. DRIVER.—They will not believe you.

Mr. HAUGHTON heard the voice of the honorable member though he did not see him; it was the voice of the honorable member for a suburban district of Dunedin, the electors of which knew the difference between free trade and protection, and he hoped the honorable member would hear their opinions on the subject within a few months. Another difficulty which presented itself to his mind had been raised by the remarks of the honorable member for River-ton, who said that in a Colony of such great length as New Zealand, where so many different circumstances prevailed in consequence of its passing through so many different degrees of latitude, the circumstances of one extremity differed so much from those of the other that they could not make one rule applicable to all. He agreed with the honorable member. If it were possible to have one duty for the North and another for the South, he (Mr. Haughton) might possibly go in for the views of Canterbury; but while Canterbury was exporting cereals, and at the same time Auckland was importing them, he did not see why they should tax Auckland merely for the purpose of raising the profits of the Canterbury farmers. He could not see it at all. He should be glad to allow the Canterbury farmers to make a little more money if they did not tax the inhabitants of the Province of Auckland. But there was this difficulty with respect to Canterbury flour: it required other flour to be mixed with it to make good bread. There was another peculiarity about the Province of Canterbury. It not only required to have its flour mixed, but likewise its potatoes, to make them go down. He thought it would be well for Canterbury if it had some more members among its body of public men like the honorable member for Timaru, who performed the part in politics which the San Francisco flour performed with regard to the Canterbury flour. It was all very well for the Premier to say that certain things were protected already; but if they were protected already, why did the Government want to increase the tax? He found that in most of those things the duties were proposed to be doubled. One of the things in use among the population on the West Coast was preserved meat. In places where there were not a number of fatted cattle and sheep running about and asking to be killed, as in some other parts of the Colony—for there were parts of the Colony where they could not, as at Dunedin, buy a sheep for a shilling—in those parts of the gold fields, where men had plenty of money, they had great difficulty in getting good meat, and they had, therefore, to live upon preserved meat and pickles. He asked the honorable member for Westland North whether his constituents did not consume

a large amount of preserved meat and pickles. If a man wished to have a tin of salmon for lunch, he would have to pay double for it, as a protection to the native industries of Otago and Canterbury. He believed they had one salmon alive in Otago, and one salmon trout in Canterbury. The one cost about £5,000, and the other about £800. If they were to protect those native industries until their families increased, they would have to do so for a very long time. He thought they were beginning too soon: he would rather that an appeal should be made to the constituencies. He did not see what honorable members were laughing at. As to these preserved meats, and salmon, and pickles, it was a very great mistake to increase the duty on those things. He thought the Colonial Treasurer had made a mistake in reducing the duty on sugar. He was not a good hand at calculating figures, but he believed that the amount of the reduction the honorable gentleman proposed would take about £9,000 a year off the revenue; but that would not at all lessen the price to the consumer, because it would be something less than an eighth of a penny a pound; so that the honorable member was making a mistake by reducing the revenue in that direction, and was not doing any good to the individual at all. The honorable member, he knew, had an idea that a large number of the population would be able to employ themselves in making jam. That he did not agree with; and, although it was very desirable to induce people to enter into occupations of a remunerative character to the Colony, he thought that that was one which they might very well leave to that portion of the community to whom the Premier was anxious to give political privileges, and he had no doubt that when the question of jam-making came before them next year as a political measure, the ladies who happened to hold seats in the House would vote for it. He thought they should not go out of their way to reduce the revenue by £10,000 a year in that direction. It was very problematical as to whether certain persons, at present unknown, would leave off digging and delving for gold, and employ their time in hashing up gooseberries with bad sugar. Then he had another objection to the Bill, which would induce him to vote against it, and that was the exemptions. Why the enormous list of exemptions? They had been told that night that one honorable member of the House had enclosed 150 miles with iron wire fencing, and he supposed that that honorable member was only a representative of others. It appeared that the statements of the honorable member for Bruce and others, which he used to look upon as rather wild—that certain settlers were endeavouring to take to themselves the whole lands of the Colony—were not so very much out of the way after all. If one member of that House, who, as a representative man, had enclosed 150 square miles with iron wire, came down and used his influence with the Government to endeavour to get more iron wire without any duty, what would be the state of the country? They would not be able to move for iron wire; the whole country was evidently going

to be enclosed with iron wire. There could be nothing more clear. Those things were not done without a purpose; Bills were not brought down for nothing. He had no doubt the honorable member who had enclosed 150 square miles was going to inclose another 150 when he got the wire cheaper. He looked through the whole list of the tariff, and he confessed he could not understand a great deal of it, but he might tell the honorable members from the Province of Canterbury—the honorable member for Kaiapoi, and others—that he fully understood the iron fencing, and the staples and standards, straining-posts and apparatus. It was said that the intention was to relieve that highly-taxed class, the pastoral tenants, and he quite agreed that they ought to be relieved; they ought to be relieved of a great deal of the land which they kept to themselves. If such a statement were to go abroad that, in a young country like New Zealand, notoriously short of land to give to the people, a member of that House, a representative man, had actually enclosed 150 square miles of the country with iron wire, he did not think it would be believed; it certainly would not be believed in America.

Mr. SWAN rose in explanation. He had not made that statement. He said that an honorable member of the House told him that he had put up on his run 150 miles of wire fencing.

Mr. HAUGHTON did not allude to the honorable member for Franklin. If he had understood that that honorable member had made any remark with regard to pastoral tenants, or anything connected with the South, he should not have taken any notice whatever of the statement. But it had not been denied by those honorable gentlemen who very worthily and very properly represented the pastoral interests in the House. Did the honorable member for Kaiapoi deny it? He said that if they were told in any free country, except this, that one man had had 150 square miles enclosed with iron wire fencing, the people would not believe it, and if they did believe it, they would know how to punish him.

Mr. STUDHOLME.—It proved that they made good use of the country.

Mr. HAUGHTON.—The honorable member could find other portions of the tariff about to be exempted, which would come in useful. Spirits of tar was exempt, but he did not know whether feathers were.

Mr. STUDHOLME.—They were only used on the gold fields.

Mr. HAUGHTON believed the honorable member had been on the gold fields, but he did not know whether he intended to visit them again. He did not wish to sit down without saying what every one said when they addressed the House now: "At this late period of the session, I do not wish to detain the House." He would vote for the second reading of the Bill that day six months.

Mr. W. H. HARRISON was somewhat at a loss as to what direction his remarks would take, because he had not been able to learn, either from the Government or previous speakers, the particular character of the Bill—whether it was a revenue Bill, or a Bill for the pro-

tection of native industry. One honorable member said it was not a protective measure, and another got up and said it meant protection to native industry. He accepted the Bill as being a protective one. As a protective measure it was a great mistake, and he would vote against it on that ground alone, apart from its many inconsistencies. It would protect native industry in one direction, and absolutely injure it in another. There was, for instance, the item "bagging, bags, sacks and woolpacks," which were proposed to be admitted duty free. He had no objection whatever to that, because he considered that everything in the nature of a trade utensil ought to be relieved from duty as much as possible, and there could be no question that sacks which were used by farmers, and woolpacks by wool-growers, were quite as much entitled to be exempted from duty as agricultural implements. On the other hand, he found that cordage was to be increased from 3s. to 6s. per cwt. In one direction they were trying to encourage the growth of an entirely new branch of industry in the Colony, namely, the development of New Zealand flax. At the present time, and, in all probability, for a considerable period to come, the only purpose to which that fibre could be actually applied was the manufacture of cordage. They were trying, on the one hand, to encourage the production of the fibre, and, on the other, to place a duty on the manufactured article, which would have the same effect as any duty which amounted to an absolute profit. At present there was £3 a ton duty on cordage in New Zealand, and he was certain that for heavy ropes, at an average of £50 a ton, the additional £3 a ton would be considered a very fair profit by the shipper of that article in England. That was one of the inconsistencies in the schedule of increased duties. With respect to the articles which—as had been said by honorable members—were sufficiently protected by the particular advantages which the producers enjoyed, from the excellent climate and peculiar natural facilities of the Colony, he thought it said very little for the enterprise of the people of New Zealand that such things as preserved meats, jams, &c., should have to be taxed in order to enable the producer of the article to find a market. Up to the present time the farmers of Canterbury had not been able—although they had started meat preserving establishments, and endeavoured, in every possible way, to get rid of their surplus stock—to drive out of the market an inferior article to what they ought to be able to manufacture, and not a single sample has yet been sent to the colonial market. On the gold fields of Westland a very large proportion of the food consumed by the miners consisted of preserved meats, but there had not been a single tin of the preserved meats of Canterbury sent to Westland, although shipments had been made to England, to compete there with the home manufacturer, who actually sent his preserved meat to New Zealand. He looked upon that as a want of commercial enterprise. Then, with regard to chaff and chopped hay. Did it not look exceedingly strange that, from the first opening of the gold fields of Canterbury up

to the present time, the farmers of Canterbury, although compelled from year to year to burn their stacks of straw, and suffer waste in grain, should be driven out of a market within about thirty hours' sail of their own port, by the farmers of Tasmania and Victoria? The article was almost of no value in the Province of Canterbury, as the production was so large. Then, with regard to hams and bacon. Those articles sent over to the West Coast by the farmers of Canterbury, and shipped at Lyttelton, were at one time utterly unsalable. Persons bought them and tried them, but were obliged to give them up because of the wretched manner in which they were prepared. Now, if they went in to protect those articles, they would only encourage slovenliness in manufacture instead of leaving them to the healthy influence of competition. To show what could be done, a person had recently commenced the preparation of hams and bacon on a proper and systematic scale. He cured at a proper season, and bought the proper kind of meat; and the result was, that on the West Coast, at the present time, Canterbury hams and bacon of this mark were commanding higher prices than the very best English meats, the manufacturer being unable to supply the demand for them. He objected to these extra charges upon absolute necessities of consumption. No one there, he felt assured, believed that an increased duty upon blankets and rugs would encourage the manufacture of blankets and rugs in New Zealand. It was simply impossible, until labour became more plentiful, that they would be able to push those manufactures. It was ridiculous to think that the mere imposition of a small duty on those articles would encourage their manufacture. The amount was not sufficient to affect them one way or the other. The only result would be to increase the price of necessary articles amongst the working classes, and the same remarks would apply to other things. They had put an extra duty upon saddlery and harness. He had no doubt that item was intended to protect a native industry, because they had had a petition to that effect presented to the House. He believed that the saddlers of New Zealand could favourably compare with those of the old country; but while they increased the duty upon saddlery and harness, no exemption was made in the case of other articles essentially necessary to the manufacture of saddlery and harness. There was no exemption for saddle-trees and stirrups. There was inconsistency in that. If they intended to encourage saddlery and harness it was necessary to take off the charge upon the items he had alluded to. He could not support the Bill, as it was not consistent either from a revenue or protective point of view, and he would, therefore, vote against the second reading.

Mr. KELLY said he would vote for the second reading of the Bill. Though not altogether in favour of protection as a whole, the absence of argument on the other side induced him to support the policy of the Government. It was remarkable how the subject varied according to the light in which it was viewed. While on the one hand it was free trade, on the other it was protection.

While on the one hand certain articles were required to pay a certain duty, it was in that case free trade, and in case of any article being required to pay a little more, it was considered protection. This applied to many of the items laid down in the tariff, in some of which free trade was implied by the imposition of a penny, and protection by the imposition of twopence. This might be said of hams, cheese, rice, soap, and other articles, and so it went on throughout the whole list. He would support the second reading of the Bill, but, in Committee, he would consider the various items open to discussion with a view to readjust the tariff. In respect to native industries, he thought it was a great mistake to put on heavy protective duties—they should give such industries fair play; but he had been always of opinion that, if those industries were profitable, they would be able to flourish without any protection. Under the circumstances, he would support the second reading of the Bill, but he would exercise his own judgment in discussing the several items in Committee should the second reading of the Bill be passed.

Mr. MOORHOUSE said he did not intend to make a long speech, for there had been sufficient indication that a long speech at that late period of the evening would be unpalatable. He had been delighted with the speech made by the honorable member for Hampden, who had earned the reputation of a joker unequalled by any other honorable member. He never heard such a rapid succession of good things fired off in the course of any debate, but he thought that the fact of his being so exceedingly jocular was an argument against the earnestness and strength of his convictions. He thought it was the duty of every honorable member to object to the passage of any measure which exerted an undue pressure upon the interests of their constituents. There were a great many honorable members who spoke on the negative side of the question, whose constituencies would not exist, perhaps, longer than a few years. He alluded to the mining populations in the country. As he had once stated to a meeting, "The digger—splendid fellow as he is—is not anxious to secure a place in the burial grounds of the Colony." He did not believe that there was any considerable desire on the part of diggers to take part in the ultimate settlement of the Colony. A great deal of bosh had been spoken in all parts of the world about protection. He remembered, in years past, the great excitement that prevailed in disseminating the heaven-born principles of free trade, as they were called. They had men amongst them professing to be advanced politicians, and who urged that they should make a sacrifice of themselves for the sake of the rest of the world. As soon as he saw a preparation for that state of things in other communities, he would be prepared to meet them half way. Free trade in England, notwithstanding all that had been said to the contrary, was, in fact, what free trade or protection ought to be here, namely, a measure of policy based upon the most deliberate regard of selfish interest. As far as he could understand the tone of the debate, objections to

the Bill were completely selfish assertions of particular interests. He regretted to observe that the majority were in danger through the selfishness of the minority. He spoke with some knowledge of his own district—which had a very large agricultural population—and other districts of the South. He was quite unwilling to take any very high ground. He did not profess to confer any great advantages outside this Island, except in exchange for some valuable consideration. As regarded the pressure this Bill was calculated to exert upon the digger, it ought to be considered by those who were ransacking the bowels of the earth in search of gold, that, in return for our protection of the enjoyment of their right, they ought to consent to pay an almost exceptional tax in favour of those permanent settlers who were working equally hard for a very much less reward. He spoke to the House on more general grounds in support of the Bill. It had been said they had a great policy before them. The honorable member for Hampden and others sneered at the policy which they had supported, and which they had, by their action in subsidiary debates, sought to spoil. Those who wished well for that policy must take care not to pauperize the majority of the farmers and farm labourers. There was nothing to pauperize the digger who, if he failed to get gold at one place, would go elsewhere in search of it—for the diggers did not intend to settle, and had never settled to any extent in this country; but once reduce the great agricultural majority to distress, and farewell to the success of immigration and public works. The cry raised against this Bill would have a great effect on the proposed colonizing policy; it would go far to ruin the confidence of the farmer in that comprehensive scheme, as it was the fashion of its opponents to style it. The great cause of the success of the scheme was the largely increased population, which was the basis of that very large revenue which would be necessary to pay the interest on the great sums they were going to borrow to be expended in the settlement of this country. If they, by their legislation, helped to justify the cry that the farmer could not live, and could not afford to pay the wages of the labourer; if the farmer entertained that idea, from the refusal of the House to give him reasonable protection, he would cease to be an employer, and they would have a large mass of people crying out with discontent at the action of the Government. Such a state of things would not tend to establish confidence on the part of those whom they asked to lend the money for expenditure in immigration and public works. He was astonished to hear the honorable member for Westland North state that it was idle to protect colonial bacon and ham, because the digger considered that it was not fit to be dragged through rivers or to serve as his pillow. It was well known that the Canterbury bacon and ham were sufficiently good, and the pressure on the digger would be very small. The import of bacon and hams was already greatly reduced, and there was a growing preference for the colonial produce, which the proposed scale of duties would completely establish.

He did not wish to say any more, but before sitting down he would ask the House not to dismiss the Bill. Let it be read a second time, and they could debate the clauses in Committee, where a greater opportunity would be afforded for discussing the claims of the farmer and of those who followed other industrial pursuits. He would remind honorable members representing the mining interests that they were in a minority in that House. He remembered a time, not many years ago, when it was found quite sufficient that the whole of Westland—which was then paying more than one-fifth of the whole revenue of the Colony—should have only one member. The honorable member for Timaru,—whose name was now exceedingly fashionable amongst miners—announced from his place on the Government benches, a short time ago, that one member for Westland North and South was quite sufficient, and notwithstanding the efforts he (Mr. Moorhouse) had made to increase the representation, it could not be done. The representatives of the mining interests were in a minority in the House, and they wished to press upon the agricultural interests, which were numerically far stronger. The mining representatives should recollect that the agriculturists might one day be tempted to resentment, although he would not be a party to any ungenerous pressure on the part of his constituents. He thought there was strong reason why they should read the Bill a second time, and so give members an opportunity of discussing the items in Committee.

Mr. MERVYN said that, before the question was put, he wished to make a few observations in answer to the honorable member for Christchurch. He regretted that the honorable member should have thought fit to adopt such a style of argument, pitting one class of the community against the other. As representing a semi-agricultural and semi-mining district, he had been very much inclined to vote for the second reading of the Bill, but after the speech which he had just heard he should decidedly vote against it. One of the principal reasons which induced him to vote against the Bill was, that the Government, under the guise of giving relief to certain interests in the country, really imposed an increased taxation on the country. The taxation was sufficiently heavy—heavier than in England, or any other portion of the world—and, on a broad principle of that kind, it was undesirable to increase the taxation. He felt it his duty to oppose the Bill.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	14
Noes	...	...	...	26
Majority against	...	...	...	12

AYES.	
Mr. Brandon,	Mr. Tancred,
Mr. Carrington,	Mr. Vogel,
Mr. Fox,	Mr. Williamson,
Mr. Hall,	Mr. J. C. Wilson, C.B.

Mr. H. S. Harrison,
Mr. Kelly,
Mr. McLean,
Mr. Rolleston,

Tellers.
Mr. Moorhouse,
Mr. Studholme.

Mr. Baigent,
Mr. Barff,
Mr. Bradshaw,
Mr. Brown,
Mr. Carleton,
Mr. Clark,
Mr. Dignan,
Mr. Eyes,
Mr. W. H. Harrison,
Mr. Jollie,
Captain Kenny,
Mr. Kynnersley,
Mr. Ludlam,
Mr. McGillivray,

NOES.
Mr. McIndoe,
Mr. Munro,
Mr. O'Rorke,
Mr. Richmond,
Mr. Russell,
Mr. Stafford,
Mr. Swan,
Mr. Taylor,
Mr. Wells,
Mr. W. Wood.

Tellers.
Mr. Borlase,
Mr. Bunny.

For,
Mr. Armstrong,
Mr. Graham,
Mr. Potts,
Mr. Driver,
Mr. Rich,
Mr. Macandrew,
Mr. Peacock,
Mr. Main,

PAIRS.
Against,
Mr. Stevens,
Mr. Creighton,
Mr. Curtis,
Mr. Gillies,
Mr. Edwards,
Mr. Houghton,
Mr. Webster,
Mr. R. G. Wood.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day six months.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

That the Legislative Council had considered the Message No. 53 from the House of Representatives, and had agreed to the report of the Select Committee to whom the same was referred, a copy of which was transmitted for the consideration of the House of Representatives.

That they agreed to the amendments made by the House of Representatives upon the amendments made by the Legislative Council in the Immigration and Public Works Bill.

That they had referred the message from the House of Representatives, No. 60, to a Select Committee of the Legislative Council.

That they had passed the Defence Loan Bill, the Immigration and Public Works Loan Bill, the Provincial Acts Validation Act Continuance Bill, the Hawke's Bay Crown Lands Sale Bill, the Mohaka and Waikare Districts Sale Bill, the Nelson College Bill, the Wellington Waste Lands Bill, the Traquair and Stuart Hundreds Bill, and the Kaiapoi Industrial School Grant Bill, with several amendments, in which they requested the concurrence of the House of Representatives. The amendments were ordered to be considered next sitting day.

That they had agreed to the amendments made by the House of Representatives in the Native Lands Frauds Prevention Bill.

The Provincial Sheep Ordinances Validation Bill, which was read a first time, and the second reading fixed for next sitting day.

RESIDENT MAGISTRATES EVIDENCE BILL.

This Bill was read a second time, considered in Committee, reported with amendments, and the third reading fixed for next sitting day.

TOWN OF GISBORNE LAND SALES VALIDATION BILL.

The amendments made by the Legislative Council in this Bill were agreed to.

CUSTOMS DUTIES COLLECTION BILL.

The House went into Committee of Ways and Means, to consider of leave being given to bring in this Bill.

On the motion of Mr. VOGEL, leave was given to introduce a Bill to legalize the collection of certain duties up to the 30th of September, 1870.

The resolution was reported to the House, read a first and second time, and agreed to.

The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

APPROPRIATION BILL.

This Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

WAIRAU VALLEY ROAD BILL.

Mr. EYES moved for leave to introduce a Bill intituled "An Act to authorize the taking of land for the purpose of a road through certain blocks of land granted to George Duppa."

Leave was granted. The Bill was brought in, read a first time, ordered to be printed, and the second reading fixed for next sitting day.

GEORGE GREEN LAND CLAIMS BILL.

This Bill was recommitted for the consideration of clause 2.

Mr. MERVYN moved that the words "open for sale or selection" be inserted after the words "lands," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	6

Majority for 6

AYES.

Mr. Barff,	Mr. McLean,
Mr. Eyes,	Mr. Vogel,
Mr. Fox,	Mr. J. C. Wilson, C.B.
Mr. Kelly,	
Mr. Kynnersley,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Mervyn,
Mr. Main,	Mr. W. Wood.

NOES.

Mr. Bradshaw,	<i>Tellers.</i>
Mr. Driver,	Mr. Brown,
Mr. McIndoe,	Mr. Bunny.
Sir D. Monro,	

The amendment was consequently agreed to, and the clause as amended agreed to.

The Bill was reported to the House with an amendment, and the third reading fixed for next sitting day.

The House adjourned at forty minutes past one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 9th September, 1870.

War News from Europe—Government Buildings—Diseased Cattle Act—Validation of Provincial Acts—Bay of Islands Settlement Bill—Printing—Railways Bill—Messages from the House of Representatives—Bankruptcy Bill—Immigration and Public Works Loan Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

WAR NEWS FROM EUROPE.

The Hon. Mr. GISBORNE said that, before the Council proceeded to dispose of the business on the notice paper, he desired to make a few remarks regarding the prorogation. The Government would be in a position to prorogue on the following day, but, in consequence of the very grave news just received from England, they desired that the Legislature would remain in session until the Governor had received his despatches. The steamer "Luna" had been despatched to Nelson to meet the "Tararua," and it was expected that she would return with the despatches on the following evening. Therefore, it would not be possible to prorogue until Monday, and he was sure that, however anxious honorable members might be to return to their homes, they would be willing to make some personal sacrifice, in order that no opportunity might be lost of the Assembly proceeding with any special legislation that might be deemed necessary in consequence of the serious intelligence which had been received.

GOVERNMENT BUILDINGS.

The Hon. Major RICHMOND, C.B., said he desired to ask the Colonial Secretary, without notice, what steps the Government contemplated taking upon the report of the Joint Committee of both Houses appointed to consider the condition of the Government buildings?

The Hon. Mr. GISBORNE said that the Government had been unable, during the present session, to adopt, to the fullest extent, the recommendations of the Committee, but they had placed a sum of £6,000 on the estimates, part of which would be devoted to placing the Government buildings in a proper state of repair, so that no danger need be apprehended, and the remainder of the money would be devoted to extending the accommodation, as far as practicable, for the two Houses and offices of the Government.

DISEASED CATTLE ACT.

The Hon. Mr. McLEAN, in moving the resolu-

tion standing in his name, said his object was simply to show the inconveniences and interruptions which owners of cattle and sheep had experienced in consequence of the powers which had been delegated to the Superintendents of the various Provinces; and seeing that a motion of a kindred nature had been placed on the order paper by his honorable friend Mr. Lee, which led him (Mr. McLean) to suppose that the honorable gentleman imagined that, in bringing this motion forward, he (Mr. McLean) had been actuated by some ill-feeling towards Canterbury, or the Superintendent of that Province, he desired to deny that he had been actuated by any such motives; in fact, it was not reasonable to suppose that the action he now took had been dictated by such considerations, for he was himself a Canterbury man, and owned property there. He desired to make a few remarks to show the desirability of these powers being held by the Governor alone. In the first place, they could not adopt the same course here, with regard to the confining of cattle, as had been adopted elsewhere, because they did not possess the same facilities. Cattle were allowed to run on the waste lands, and, when a district was proclaimed, there was nobody to keep the cattle together, and, therefore, to make people liable because their cattle strayed over different boundaries, was contrary to the general legislation of the present day. He had heard of cases in which such political pressure had been brought to bear upon the gentlemen to whom these powers had been delegated that they really had no will of their own. Those remarks applied some years ago to the Province of Otago, but things were now altered. He knew but little of the North Island, and, therefore, if he confined his observations to Provinces in the Middle Island, honorable gentlemen would understand that he did so merely because he had a better knowledge of what occurred within their boundaries. With regard to the Province that had not abolished these restrictions, the people there seemed to desire to isolate themselves from the whole of the Middle Island. During last winter, when the Waitaki River was low, a number of cattle belonging to poor people crossed the river into Canterbury from Otago, and if the owners, being poor, had been proceeded against, their ruin would have been effected. He would cite another case as showing the folly of maintaining these restrictions. When the pleuro-pneumonia disease found its way into Australia similar restrictions were put in force, but the disease spread nevertheless, and subsequently the restrictions, being found futile, were abolished. Again, with regard to the disease itself, in England, after the most careful inquiries had been made by scientific men, the conclusion arrived at was that the only thing which could be done with cattle that were infected was to kill them; and it was well known that most of the preserved meat used by the navy was the flesh of animals which had been infected and killed.

The Hon. Mr. LEE asked whether the honorable member intended that his remarks should apply to meat preserved in this Colony and Australia.

The Hon. Mr. McLEAN said he did not desire that his remarks should apply to either Colony. There was no necessity for such a course being adopted here because meat was too cheap; but no doubt, if the same state of things existed here as had existed elsewhere, a similar course would be adopted. The restrictions to which he had alluded had another bad effect—they stood in the way of the breeding of cattle, and there were instances which showed the great loss that owners of cattle had suffered in consequence of their having been prevented, by the restrictions, from removing their cattle, often very valuable animals, from one Province to another. One individual purchased sheep in Southland at an extravagant cost, because they were of a superior kind. He brought them to the northern part of the Province, and when about to drive them across the river, he recollected that if he did so he would render himself liable to a fine. He accordingly wrote to the inspector of the Canterbury Province, giving him a week to arrive. In the meantime he got the inspector for Otago to inspect the sheep, and that gentleman gave a certificate to the effect that there was nothing the matter with the sheep. They crossed the river, and the inspector for Canterbury, who did not arrive until after the expiration of fourteen days, would not be satisfied with the certificate given by the inspector for Otago. However, he (Mr. McLean) might as well state at once that the individual to whom he referred was himself. He drove the sheep from his own freehold property on the south bank of the river to the north bank, and he had since been served with a summons to appear before a resident magistrate on the 15th of the present month.

The Hon. the SPEAKER said that if the honorable gentleman would give him the summons, probably the Council, being in session, would take some action in the matter.

The Hon. Mr. McLEAN said he wrote to the resident magistrate, and told him that the business of the country would not enable him to attend, and that he hoped he would be able to postpone the case. If, however, he (Mr. McLean) should be unable to attend, there was a probability that he would be mulcted in the sum of £100, and, unless the Speaker protected him, he would be subjected to another fine for contempt of court. In reverting, however, to the main question, he might say that it had been the practice, where these delegated powers had been enforced, to trust to inspectors, men who had been called to prove that cattle died from pleuro-pneumonia. He would give an instance, showing how far persons of that class ought to be trusted. When the disease first attracted attention in Otago, a gentleman was appointed to go to the Heads. He proceeded with a gun on his shoulder, and ultimately found himself amongst some cattle, belonging to a number of poor people, some of whom, he believed, were Natives. These cattle were suffering from an absence of sufficient grass; but the gentleman in question shot them, nevertheless. Honorable gentlemen knew very

well that if a bullet was sent through an animal's lungs, they would present an appearance leading to the conclusion that the animal died of disease. That gentleman ultimately sent in a report recommending that an inspector should be appointed, who should travel through the Province, and shoot all cattle supposed to be affected. Of course, the Superintendent of the Province was far too intelligent and enlightened a man to accede to that recommendation, and they heard nothing more of the gentleman who made these recommendations. Regarding the disease itself, it would be utterly useless to attempt to drive it out of the country. Some years ago a disease similar to pleuro-pneumonia made its appearance in Otago and carried off a large number of horses. No attempt was made to suppress it, but in the course of a year it entirely disappeared. It was the same as regarded pleuro-pneumonia; for a time it was violent and virulent, but ultimately it disappeared. Perhaps the reason was that some animals were more susceptible than others; they died, and other stronger animals recovered. He now wanted the Government to decide that those powers which had been delegated to others should be exercised by the Governor alone. Proper inquiries would then be made, and if it were found necessary that any limitation should be prescribed, let the limitation be confined to a small district, and not, as had been hitherto the case, involve one-third of the whole Island, thereby shutting people out from the advantages of a market. He trusted the Council would determine that, in future, the powers vested in the Governor by the Act should be exercised by the Governor only, which decision would have the effect of relieving those gentlemen to whom he had referred from the unwholesome pressure which, in some cases, had been brought to bear upon them, and from the liability of having actions instituted against them. If any wrong were inflicted by the exercise of that power, they would then know where to look for redress. He believed that none of the delegations were in force now. He trusted that, for the future, the Governor would retain the power in his own hands, and that there would be no more delegation.

Motion made, and question proposed, "That, in the opinion of this Council, all the powers vested in the Governor by 'The Diseased Cattle Act, 1861,' and the 'Diseased Cattle Act Amendment Act, 1865,' should, for the future, be exercised by the Governor only, and should not be delegated to any other person, and that any of the said powers so already delegated should at once be withdrawn from those persons who at present hold them."—(*Hon. Mr. McLean.*)

The Hon. Mr. LEE thought that the arguments of the honorable gentleman must have shown how utterly impossible it was to decide upon such a question at such a limited notice, and without the production of the papers for which he had given notice of motion—a motion which it would be useless for him to proceed with if the present motion were adopted. No doubt those arguments were, in themselves, in favour of the course which the honorable member desired to see pursued, but

he believed that a different complexion would be put upon the case by the production of all the papers. He did not propose to follow the honorable member through all the remarks which he had made. The honorable gentleman said that he had no antipathy to the Superintendent of Canterbury, but his speech was one long tirade against the action which had been taken by that gentleman, and must be received for what it was worth, as coming only from the honorable gentleman. It was perfectly impossible that all the papers could be produced at that period of the session, and he trusted that his honorable friend, after having had the satisfaction of giving vent to his feelings, would be content to withdraw the motion. He did not think it was possible to decide at once whether or not it was desirable that those powers should be delegated, nor did he see that, even if the Council were disposed to take the action which the honorable member wished, any good result could be arrived at, because it would be a false step for the Council to take to pass a resolution which it had no means of giving effect to. The arguments of the honorable gentleman were rather against the Diseased Cattle Act itself than against the powers being delegated to the Superintendents under it. None of the arguments which had been advanced tended to show that those powers had been at all improperly exercised, even supposing the statements to be correct, which he was not prepared to admit. A great portion of the honorable member's remarks were aimed at a totally different Act—the Sheep Ordinance—under which there were no powers of delegation, and which had been found to work well after having been in operation for a considerable time. He did not think that the honorable gentleman was disposed to say that there should not be that power in existence to prevent the spread of scab through the country. The Diseased Cattle Act was a totally different matter. The honorable gentleman said that it would be very desirable for the General Government to have the power in their hands, because they would declare an infected district. That was precisely the course which had been pursued by the Canterbury Government. They selected a certain part of the country and declared it infected. They went to an enormous expense in fencing in that district. They provided an expensive body of guards to see that the cattle were kept within that district, and did all in their power to confine the disease to that particular part of the country. A considerable time had passed, and he was happy to say that the disease had been completely stamped out; and the precautions which had been taken had therefore the desired effect. The expense to the Province was over £2,000. He would urge on the honorable gentleman to withdraw his motion, simply because there was not evidence before the Council which would enable it to judge the matter fairly on its merits.

The Hon. Mr. WIGLEY thought that the Hon. Mr. McLean had proved, to the satisfaction of the Council, that they could not go into the subject properly until they had before them the

papers which were asked for by his honorable friend Mr. Lee. The honorable member said that political pressure had been brought to bear upon the Superintendents of Otago, and that one of them had informed him that he acted, not from his conviction, but from political pressure. There were restrictions in Canterbury, but there were none in Otago, and the consequence was that, in the former Province, the disease had been stamped out, while, he believed, it still existed in the latter. The Province of Otago did not take the same pains to prevent the spread of the disease that was taken in Canterbury, and it was not fair to compel Canterbury to undergo the great danger of having its cattle infected. Another reason why they should not pass any resolution on the subject was, because the honorable member admitted that he argued from a personal bias, and, therefore, he must have been carried away by his feelings to have passed such a severe censure upon the Superintendent of Canterbury. The honorable member was inconsistent in his argument, when he said that the only way to prevent the spread of the disease was to destroy the animal whenever it was found to be diseased, at the same time that he complained of that very action on the part of the Canterbury inspectors. He hoped that the Council would throw out this motion for the same reason that they had rejected the Validation Bill, namely, because the correspondence on the subject was not before the Council. He would join with his honorable friend Mr. Lee in asking the honorable member to withdraw his motion.

The Hon. Mr. ROBINSON hoped that the honorable member would not withdraw the motion. He did not agree with the Hon. Mr. Wigley, that the honorable member had made the matter a personal one because he had brought forward his own case as an illustration. It was not proposed by the resolution to take off any restrictions; the Act was in operation, and all that was sought was that for the future the Governor should administer the powers—that the matter should be a colonial and not a provincial one. There had been some diseased cattle in the Kaikoras, in the Province of Marlborough, and that part of the country was declared an infected district by the Province of Canterbury. The Superintendent informed him that he had no alternative but to declare the whole country north of the Hurunui an infected district, although there had never been a diseased beast in it except in a corner of the Province of Marlborough.

The Hon. Mr. SEYMOUR.—There is no such proclamation at the present time.

The Hon. Mr. ROBINSON would like to know, then, what necessity there was for declaring the whole country north of the Hurunui an infected district? All that his honorable friend Mr. McLean wanted was to get the Act put into a more workable shape. In England a whole county was never declared infected, but only particular farms or byres. He could see no reason for withdrawing the resolution, because it would relieve the Superintendents of a great deal of embarrassment and trouble, and would not deprive them of any advantage. The Hon. Mr.

Lee had alluded to a motion of which he had given notice, for the production of papers, but he could see nothing to be gained by that except as an argument to coerce the Hon. Mr. McLean into withdrawing his motion. He recollected that on a previous occasion the honorable member had declared that all the papers were on the table.

The Hon. Mr. LEE had said that all the papers in the possession of the General Government were on the table. His motion went much further, and asked for the correspondence between the different Superintendents.

The Hon. Mr. ROBINSON had certainly understood the honorable member to say that all the papers were on the table. He hoped that, for the interests of the whole country, the honorable member's resolution would be approved of by the Council.

The Hon. Mr. GISBORNE thought this question required more time for consideration than they had at their disposal, and any expression of opinion on the part of the Council would, for that reason, not carry that weight which it otherwise would. Although the Superintendents, as delegates of the Crown, might have made mistakes and inflicted grievances, it was, in some measure, to their credit that pleuro-pneumonia had not committed those great ravages in New Zealand which would have been the case if it had been allowed to spread. Violent diseases required violent remedies, and therefore it would not do to scrutinize too closely the action which had been taken under those circumstances. He was afraid that the evil would not be removed by removing the power from the Superintendents to the Governor. The "Governor" meant the Ministry of the day residing at Wellington at any one time. They had no local knowledge of what was occurring, and if pleuro-pneumonia broke out, they must act through an agent on the spot, and upon his recommendation. It was not probable that that agent would be more discreet than the Superintendent who was on the spot, and was subject to public opinion. He feared that a great deal of maladministration and delay would occur if the matter were left altogether in the hands of the General Government. It was of course a strong argument to say that the proclaiming districts within the provincial boundaries prevented the proclamation of an infected district, part of which might be in one Province and part in another. He hoped that the honorable member would not think it necessary to press his motion. It was a subject which must be carefully considered by the Government, and, speaking as a private member of the Council, he was not prepared to say that there should be no delegation. Whether the Superintendents were the best persons to act or not, was, of course, an open question. He trusted that the happy solution of the difficulty would be that there would be no disease at all.

The Hon. Captain FRASER considered that pleuro-pneumonia was a bugbear. He was in Australia for some years, and had made particular inquiries, but he never knew any two persons who had the same ideas on the subject, the only point

on which they were agreed being that it was a humbug. Canterbury had hedged itself in with every restriction, and what was the consequence? The consequence had been that there had been a case of pleuro-pneumonia there within the last twelve months, whilst in Otago, which had not been so restricted, there had not been a single case for the last two years. He should be very glad to see the delegation withdrawn.

The Hon. Mr. SEWELL was informed by the Superintendent of Canterbury that there were considerable doubts as to whether pleuro-pneumonia did not exist in Otago, and he thought that his honorable friend Captain Fraser had rather overstated the case.

The Hon. Mr. HOLMES would support the motion, because he considered that the powers which had been delegated to the Superintendent of Canterbury had virtually been abused. The present Superintendent of Canterbury meant well, but he had not sufficient nerve to oppose the influence which had been brought to bear upon him in respect to this particular question. He would allude to the precise nature of that influence, although he had not intended to do so now. At the last sale in Otago the price realized per head for good cattle was £6 5s. According to Mr. Matson's report, dated the 2nd of September, the price of fat cattle in Canterbury was 27s. 6d. to 30s. per 100lbs., and some animals had been sold at from £12 7s. 6d. to £14 15s. per head. The inference was that cattle were at the very least 50 per cent. higher in Canterbury than in Otago. That was the root of the undue influence. He had before him the Act of 1861, in which it was enacted that if the inspector was satisfied that any cattle which were imported were free from disease, he should give to the owner of the ship a certificate to that effect, and that, after such cattle had been inspected, and not before, they should be landed; that was to say, cattle should be only landed if they were clean, which was rational, and could not be objected to. A portion of the correspondence which had been produced was before him, and it all went to show that cattle which were free from disease before they left home and when they arrived in the Province, were only permitted to be landed after several applications to the Provincial Government, and reference to the General Government, and, in some cases, were not landed at all. That correspondence took place in the early part of 1866, and it showed that, instead of the Act being carried out in its integrity and simplicity, it was strained to the utmost, in order to prevent any cattle from being landed. [The honorable gentleman here quoted from the correspondence, to draw attention to several cases of hardship which had occurred through the action of the authorities.] There was no doubt that great wrongs had been committed by the extraordinary stringency with which the Act had been administered, and the action which had been taken in some cases was calculated to bring the authorities of the Province into contempt. There was no necessity for the Diseased Cattle Act at the the present time. For the last eighteen

months there had not been a single case in Otago or Southland. The type of the disease had altogether changed, and it was not as virulent as when it first appeared, but had worn itself out, and if it appeared, the stockowners would kill the animals themselves. The Waitaki was resolved upon as the boundary of the infected district, and, although the disease had never made its appearance in that district, stock were not allowed to cross the boundary. The motion had been brought forward to get rid of provincial delegation, and to leave the whole power in the hands of the Governor, and it must be evident that the time had arrived for that.

The Hon. Mr. LEE desired to say that the actions which had been attributed to the Provincial Government were really the actions of the customs authorities.

The Hon. Mr. WILLIAMSON would support the resolution, in the hope that it would require more consideration before such proclamations were issued. His reason for doing so was, that in every instance where the prohibitions were in force the consumer had to pay.

The Hon. Mr. McLEAN said that his object in mentioning the sheep cases was to draw attention to the extreme inconvenience of the provincial laws. With regard to the objection of the Hon. the Colonial Secretary as to the delay which would take place, he might say that the General Government would have their officer in each Province, and they could communicate with him by telegraph. He could not consent to withdraw his motion.

Motion agreed to.

VALIDATION OF PROVINCIAL ACTS.

The Hon. Mr. McLEAN, in moving the motion standing in his name, said he considered that the system of validating Provincial Acts had become a gigantic evil, and that the time had arrived when they ought to be done away with altogether. He thought that they ought to give notice to Provincial Councils that if they passed illegal Acts the Legislative Council would not validate them.

The Hon. Captain FRASER said the fault did not rest so much with the Provincial Councils; they went on the principle, "We have done it once, and we will try it again, and trust to the pliancy of the Legislative Council." He would second the motion.

Motion made, and question proposed, "That this Council resolves not for the future to pass any Validation Acts or Act having for its object the validating of any Provincial Acts or Ordinances already passed or which hereafter may be passed; and that the Government be requested to communicate this resolution to the Superintendents of the various Provinces."—(*Hon. Mr. McLean.*)

The Hon. Mr. SEWELL said the resolution was hardly framed in a manner in which it should pass the Council. If the Council were to resolve that they would not pass Validation Acts, they would be adopting what would be in the nature of a self-denying Ordinance, and which would not be binding on a future Council. The latter part of the resolution proposed that the Government

should communicate with the Superintendents of Provinces; but with what object? The complaint of the Provincial Councils was, that they were called upon to perform legislative duties which they could not perform in consequence of the ineffectiveness of their powers. If the honorable gentleman had said that it was the duty of the General Assembly to make laws for these objects, that would be intelligible, but the difficulty which they had now to meet would continue until the Assembly had adopted some system of legislation which would supersede provincial Acts.

The Hon. Mr. LEE said he could not support the motion in its present shape, and he believed it was one which few, if any, honorable members would like to pledge themselves to. The resolution was not, in the main, objectionable, but the honorable gentleman really ought to alter the wording of it before the Council could accept it. If the honorable gentleman would alter the wording of the resolution, he should be prepared to support him.

The Hon. Mr. HOLMES said that public opinion was in favour of depriving the Provincial Councils of legislative powers, and of confining them to their administrative functions. He believed that that was the object which the honorable gentleman who moved the resolution had in view. He would vote for the motion.

The Hon. Mr. STOKES said he concurred with the spirit of the resolution, but he thought some alteration in its construction would be necessary. After what had been stated, it was evident that it was desirable that some intimation should be made of the general intention that actuated the Legislative Council, in order that this vicious system of legislation should cease. They had been told that the fault in some degree rested with the General Government; but what could be more monstrous than that Act after Act should come up from the Provincial Councils and be passed into law without members of the Legislative Council having had an opportunity of being able to read them. He would cite one notable instance which occurred during the present session. An Act was passed in another place in about five minutes, and it was expected that, although it contained 248 clauses, it would be as quickly passed by the Council. Legislation, under such circumstances, was rendered perfectly absurd; and if, as they were told, there were difficulties connected with such legislation, that was an additional reason why the General Government should carefully consider these matters during the recess, and, in another session, bring forward general laws confining within definite and narrow limits the functions of provincial Legislatures, and also lay down general rules to be adopted throughout the Colony, which rules would have the effect of preventing the continuance of the pernicious system that had been alluded to.

The Hon. Colonel WHITMORE, C.M.G., said there was no doubt that the great fault connected with the system, was in the Council being called upon to validate an immense number of Acts which they had not seen, and which, consequently, they had not been able to consider.

The Council should be put in a position to judge of what they were asked to do, and he would be prepared to support any proposition which provided that Validation Acts should only be brought in during the first week of the session. He thought it would be quite as easy for the Government to bring down such Bills during the first as during the last week of the session; in fact, he could not help thinking that these Bills were sometimes brought down at the end of the session simply to facilitate their passage through the Legislature. He would support the motion, but he hoped the honorable gentleman would leave some loophole whereby legislation brought into force to meet present wants should not be suspended.

The Hon. Dr. BUCHANAN said it was also his intention to support the resolution, but thought the wording of it should be somewhat altered.

The Hon. Mr. PATERSON said he was of opinion that if the resolution were somewhat modified it would prove to be a very useful one.

Motion agreed to.

BAY OF ISLANDS SETTLEMENT BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that some years ago the General Government undertook the formation of a settlement, but he regretted to have to state that he did not think a single immigrant had been introduced, nor had any public work of importance been constructed. The only result had been the incurring of considerable expense, which he was afraid the General Government must look upon as lost money. The object of this Act was to revivify it by handing it over to provincial administration—to hand it over, in fact, to the Province of Auckland, to which it originally belonged. One of the conditions was that £2,000 compensation, payable to Mr. Edmonds, should be charged to the Province of Auckland. Besides that liability, there was another of £5,000, which the Government had expended on various works connected with the settlement, but it was not proposed to charge that sum to the Province. It had been considered, under all the circumstances of the case, expedient to forego that amount, but the sum of £2,000, and other contingent sums which might arise, would be charged. The lands would now be administered by the Province, and he trusted that they would be more successfully dealt with than they had been by the General Government.

The Hon. Mr. McLEAN asked whether it was intended to hand over to the Province lands which would be parted with under the provisions of the Waste Lands Act of this session, because, if so, they would be giving lands away for nothing.

The Hon. Mr. GISBORNE said that, by the way in which the Act was worded, the lands would be subjected to it; but the honorable member, if he chose to do so, could add a proviso to clause 3.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

PRINTING.

The Hon. Major RICHMOND, C.B., moved, without notice,—

1. That this Council is of opinion that all the printing for the Council during the session of Parliament should be executed under the instructions of the Speaker, communicated to the head of the printing department.

2. That, as soon as circumstances will admit, it is desirable that all parliamentary printing during the session should be executed by a separate establishment under parliamentary control.

3. That the Government be requested to assist in carrying out these resolutions.

Motion agreed to.

RAILWAYS BILL.

The Hon. Mr. GISBORNE.—Sir, in moving the second reading of this Bill, I will trouble the Council with a statement of its object. Its chief object is to provide that, after the passing of the Immigration and Public Work Acts, the spring and summer time, favourable to the construction of lines of railway, shall not be lost. There are in the Provinces of Canterbury, Otago, Auckland, and Nelson, lines of railway, the construction of which has been, I may say, sanctioned by the General Assembly. There have been private Bills passed with reference to those railways, and there are maps and plans lodged in the private Bill office, which have been laid on the table of the Council, in order that honorable members might have an opportunity of inspecting them. For the Auckland and Waikato railway a private Bill has been passed, entitled "The Auckland and Drury Railway Act, 1863;" there is "The Picton and Blenheim Act, 1865;" the Dunedin, Molyneux, and Clutha Railway Act; the Otago and Southland Railway Act, and the Canterbury Railway Act. With regard to the Nelson and Cobden railway, although there have been no plans made of the line, there is the Nelson and Cobden Railway Act, which sanctioned its construction. In the Canterbury Province there have also been plans and surveys made, and private Bills passed. There has also been a correspondence, which is in the hands of honorable members, with the Superintendents of the Provinces in which the railways are, which will show the progress which has been made with regard to the surveys, &c., of the lines. It has been thought, with regard to these lines, that the Government would be virtually carrying out the pledge it made to the General Assembly, in the Public Works and Immigration Act, by laying before the Assembly such plans and surveys, and such information, as would justify it in asking them to determine the lines of railway to be constructed forthwith. With regard to the other lines of railways, of course we propose to make the necessary surveys, and submit the proposals to the General Assembly in another session. The liability it is proposed to incur will be as follows:—From Blenheim to Picton the cost is estimated at about £56,000; that is proposed to be constructed by annual guarantee, which would come to £3,080. From Auckland

to Tuakau the cost would be about £172,000, and the annual guarantee would come to £9,460. The line from Dunedin to Clutha it is proposed to construct either by guarantee or by a lump sum. If it were a lump sum, the cost would be £250,000, and if it were by annual guarantee, it would come to £13,750. In Nelson, twenty-four miles was proposed to be constructed either by a lump sum or by guarantee; if by a lump sum, it would come to £72,000, and if by guarantee, £3,960. The other part of the Nelson line is proposed to be constructed as directed by the Act of the Assembly, namely, by grant of land. In Canterbury, it is proposed that railways should be constructed by a lump sum, which would come to £207,000. The Waitaki Bridge, at a lump sum, would come to £35,000; and it is proposed that the Government should import railway plant to the extent of £25,000, which would obviate any delay in proceeding with the lines of railways afterwards determined on. But, of course, although that is a liability at present, the plant will represent an available asset in the construction of future railways. Then, Sir, supposing the railways from Blenheim to Picton, and from Auckland to Tuakau, were proceeded with by guarantee, the annual guarantee of the first would cost £3,080, and the latter, £9,460. That would be an expenditure of £12,540 annually for guarantee for those two railways. If the other railways were constructed, as authorized, by lump sum, the expenditure would be: Dunedin and Clutha, £250,000; Nelson, twenty-four miles, £72,000; Canterbury, £207,000; Waitaki Bridge, £35,000; plant, £25,000; which would, altogether, come to £589,000. Therefore, including the plant connected with the Waitaki Bridge, the actual expenditure, supposing all the works to be constructed in the present financial year, would be £589,000. That would be in the shape of a lump sum. The other would be an annual payment for the two other railways, in the shape of guarantees, of £12,540. I will not trouble the Council with all the information which is available with regard to each railway; of course, it can be furnished in Committee whenever the question of any particular railway arises; besides, there are many honorable members who, from their local knowledge with respect to different lines, are much better qualified to speak on the subject than I am. Then, Sir, with regard to schedule 3, it is proposed that inquiries and surveys should be made with regard to certain lines, in order that we may be able, next session, to lay before the Assembly proposals for their construction, and furnish, at the same time, as much information as may enable the Assembly to come to a satisfactory decision on the subject. Those lines are from Invercargill to the Maitara, from Moe-raki to the Waitaki, from Wellington to Seventy-Mile Bush, thence to Napier, from New Plymouth to Wanganui, and thence to the Wellington and Napier line. It is from no want of appreciation of the importance of these lines of railways that the Government does not ask the Assembly at once for the authority for their construction; but the pledge of the Government was that it should

first ascertain certain requisite information with regard to the projection of those lines, and that it should lay them before the Assembly, together with the opinions of the provincial authorities. Now, that pledge is not law at present, because it is contained in a Bill which, though it has passed both Houses, has not been assented to by the Governor. Still, the Government consider themselves bound substantially to fulfil that pledge by not asking the Assembly to authorize the construction of any lines of railway in respect of which they could not give that information which they believe they are able to give with respect to the lines of railway contained in the first and second schedule. Therefore, the Government ask the House only for authority to make the necessary surveys and inquiries with regard to those lines, so that they may be able to lay before the Assembly, in another session, defined lines between the places mentioned, and to ask authority, at the same time, for the construction of those lines on certain terms. I understand, Sir, that amendments will be proposed, in Committee, to move the North Island lines of railway which are mentioned in the third schedule into the first or second schedule. I may state that the Government are bound to resist those amendments, in consequence of the pledge to which I have referred, and to which, I believe, they should adhere. I believe that one reason which will induce honorable members to propose such an amendment is that they fear, after the lines of railways have been once commenced in the Middle Island, that those railways will never be recognized at all. Now, I would state that already the early consideration of a line of railway from Wellington to New Plymouth and Napier, by the Wairarapa, is doubly recognized by the Legislature. First, in the Immigration and Public Works Act the Governor is directed to cause a survey of those lines, and in the Railways Bill he is authorized to the same effect. It is expressly stated that proposals shall be made with respect to those lines in the next session of the General Assembly. Therefore, I cannot imagine that any such fear as that to which I have referred is well founded. I think that any suspicion that the Middle Island members would combine against the North Island, to prevent the construction of the Northern lines of railway that may be necessary, is unjust, and also unworthy of those who entertain such a suspicion. What has been the case in previous times with regard to the North Island war? What was the course pursued by the inhabitants of the Middle Island, who were not personally interested, and the security of whose life and property was not affected with respect to that war? Did they ignore the necessities of the North Island then? No; they have been willing to bear their share of the burden of that war with respect to the expenditure necessary to suppress it. I think, Sir, that that was a practical proof that they would not, in case of any lines of railway which, for commercial or political purposes, may be necessary to be constructed in the North Island, combine for such a purpose, or endure that any Government should

make such a proposal as to ignore the requirements of the North Island. I hope that those members who are so earnestly supporting the laying out of a main trunk line of railway throughout the North Island before any other railway works should be proceeded with, will support the Government in objecting to the authorization of any lines of railway in respect of which there is not proper information before the Council with regard to the line itself and its cost. I ask this on the ground that they are really subjecting the Government to that outside pressure which they so strongly objected to, and which it is the object of the provisions of the Immigration and Public Works Act, requiring a special Act of the Assembly respecting each railway, to obviate. If you take the line of railway from Wellington to the Seventy-Mile Bush, that might be made through the Upper Hutt, and perhaps through the Wai-nui-o-mata Valley, and perhaps round the coast to Palliser Bay and up the Wairarapa. Now, Sir, some members wish to authorize the Government to determine the line at its own discretion. It is inconsistent for those who wish to preserve the Government from temptation to vote for such a proposal, because it is clear that in those three lines the greatest political pressure might be put upon the Government with respect to the construction of any one of them. I think, Sir, it must be considered that the object of the General Government, and the object of the General Assembly, should be, with respect to these railways, to prevent anything like a general scramble. That is the reason why the Government do not ask authority to construct any railway as to which they cannot inform the Assembly that a line has already been laid out and surveyed, and that it is necessary at once to proceed with the construction of that line. What I mean by a general scramble, would be for the Assembly to say to the General Government, "Here is so much money for railways, make railways between such and such places." That would lead to a general scramble, because it would immediately devolve upon the Government to decide what course should be taken with respect to those lines, and from what place, and by what places, they should run. The proper business-like mode of proceeding is, that the Assembly should proceed line by line, and predetermine, in regard to any line, after proper information had been given to it, on what terms that line should be constructed. Of course, no one feels more than the members of the present Government, how necessary it is that there should be a line of railway between Wellington and Napier and between Wellington and New Plymouth, both for political purposes and for those other objects which the opening of railways is calculated to effect. But the General Government feel that it is their duty to prevent an indiscriminate rush for the division of the money to be expended on lines of railway, respecting which proper information at the time is not obtainable. The practical and proper course is for the Assembly to have before it a proposal from the Government somewhat to this effect: "Here is a line of railway that we wish your authority to con-

struct; these are the surveys and the plans; it runs in such a direction, and its cost we believe to be so much." The General Assembly would then say, "We have considered your proposals, and we authorize you to incur such and such an expenditure for the construction of the line of railway you propose." There is something definite in that, and the General Assembly would say, in fact,—

*Est modus in rebus; sunt certi denique fines
Quos ultra citraque nequit consistere rectum:*

If the Assembly said "Construct a line at once between Wellington and New Plymouth," it would devolve upon the General Government a responsibility which I do not think the Government should, after the Immigration and Public Works Bill has passed, have devolved upon it. The other is the most business like course to be pursued, and it is the course which the Government propose to the Assembly. They have, of course, been subjected to great pressure, but the Government is quite unworthy of the position of a Government if it cannot resist that pressure. I only hope this first resistance of pressure may be a happy augury of our being able to resist pressure in other respects with regard to those railways, should that pressure unfortunately be put upon us. With these words, hoping the Council will seriously consider this matter, and will not come to any hasty conclusion, I leave the matter in the hands of the Council. I would only again repeat, with regard to the Northern Island railways, that our whole sympathies, both as residents and as having an interest in the North Island, and on account of our anxious wish to make a satisfactory settlement of Native affairs, are with the North Island in this matter, and I can assure the Council that, if this Bill is passed in its present shape, not a month will elapse after the session closes before there will be steps taken to set surveyors at work in order to enable the Government to ascertain the lines of railway to be adopted, and their exact course.

The Hon. Colonel RUSSELL thought that they should look upon the question of railways from a colonial point of view. In saying that, he begged to disconnect himself from any party in the Council, as he understood that there was a party who intended to introduce certain amendments in the schedules. As to the course they purposed pursuing, he was in utter ignorance, and, therefore, though he might be found voting with and against them, he still held himself aloof from that or any other party in the Council. He would speak to the subject from a colonial point of view, and he hoped honorable members would endeavour to take the same view. He confessed that he felt disappointed by the Bill before them, and it struck him as differing from the scheme propounded in the Immigration and Public Works Bill, upon which it was supposed to be based. He had recognized in that Bill the contemplation of many great and grand projects, which, if carried out, could not fail of being of immense benefit to the Colony, and for that reason he had supported it. The first of those appeared to him to be the

pacification of the country. He could recognize no object more important than that. By that he meant the peaceful employment, the industrial employment, of the Native population, for, to his mind, so long as the Native race were allowed to remain in a state of idleness, they could never fail to be troublesome; while, from his experience, he believed they could, by being employed, be rendered useful and industrious, and of value to the country, provided they went the right way about it. It would be of great advantage to the Northern Island that there should be a railway constructed through it. They had a population for the construction of railways available in the North Island, which was not the case in the Middle Island. If they gave the Maori race employment, they would no longer have to fight them. They had had the defence loan passed the previous day, which was unnecessary, so far as it could be said to be unnecessary to keep up a military force as a safeguard. His honorable friend the Colonial Secretary had spoken about pressure having been brought to bear upon the Government. When he turned to the correspondence to which the Colonial Secretary had alluded, and saw that each Province successively—he should say, each Province of the Middle Island—had begun the scramble which his honorable friend so deprecated, he was struck with surprise. If he might be permitted, he would refer to the correspondence in question. He found that the Immigration and Public Works Bill had passed the House of Representatives upon the 18th of August. On the same day, and almost before the ink could be dried by which the Speaker wrote his approval, application was put in by the Superintendent of Canterbury for the first grant. The sum he asked for was £200,000, and that for railways which had already been in course of construction, and for which there was no necessity for the Colony to come forward. The means for those works had been already provided, therefore there was no necessity for the honorable member (the Superintendent of Canterbury) to be the first to put his hand into the colonial purse. The next was the Superintendent of Auckland, and he also applied upon the very day the Bill passed the House; and he also was likely to obtain money to construct a line for the purposes of which that Bill was unnecessary. There was a very curious circumstance connected with his application for the money. He said that he required thirty-seven miles of railway between Newmarket, about three miles from Auckland, and Takau. To his knowledge, they possessed a good broad macadamized road through that district, and what necessity there existed for so large an expenditure he was at a loss to conceive; but, to show the little care the Government appeared to bestow upon the subject, he might state a remarkable feature in connection with this transaction. He (the Superintendent of Auckland) asked for an amount at the rate of £3,500 per mile for the construction of the line, which was only to be taken at that rate from Newmarket, but, with a view to the forming of the three miles

from Auckland to Newmarket as they were required, it was proposed to add £500 per mile for the thirty-seven miles, so that by this means the country was saddled with an extra £18,000, which, added to the amount allowed for these three miles, would make up the sum to be expended, £30,000 for the line from Auckland to Newmarket. That had been assented to by the Government. Shortly afterwards another application was made, and this time from the Superintendent of Dunedin. He had not been so hasty as the others. He had allowed a little time to elapse, but, probably, hearing of the success of the other Superintendents, he applied for funds for the construction of a railway already provided for by the Province, and to which no political importance was attached. The amount required was £200,000.

The Hon. Mr. GISBORNE.—£250,000, but it has not been provided for by the Province.

The Hon. Colonel RUSSELL was aware that it had been provided for, and that, to give it effect, a Bill was to have been introduced into the Assembly. Another remarkable feature was that although the general idea was to construct railways with a gauge of 3 feet 6 inches, which were to cost, under ordinary circumstances, £3,000 per mile, the honorable gentleman claimed £5,000 per mile, and had his claim allowed. Encouraged by the success of those Superintendents, his honorable friend the Superintendent for Marlborough went in with his claim, and he also was sent away satisfied. The Superintendent of Nelson, Mr. Curtis, next applied, and he went in to a greater extent than any of the others. He had gone in for a guarantee of £56,000 for the construction of a line from Nelson to Foxhill, together with two million acres of land, which, at the rate of £1 an acre, was £2,000,000.

The Hon. Mr. GISBORNE.—That had been already sanctioned by the Assembly.

The Hon. Colonel RUSSELL observed that of the Superintendents in the Northern Island, the Superintendent of Auckland alone had made application for a share of the money. The Superintendents, respectively, of Wellington, Taranaki, and Hawke's Bay, appeared not to have put in a claim for anything, and, as a consequence, had got nothing out of the scramble. It was another remarkable feature that those gentlemen represented small and weak Provinces, whose political influence could not compare with the larger Provinces, and therefore they found themselves out in the cold. He did not desire to detain the Council, but he would repeat what he had already stated,—that he was disappointed with the Bill. He did not contemplate that the money to be raised for the purposes of the Immigration and Public Works Bill was to be spent in the direction indicated by the Bill before them. In the Middle Island there was no population to reduce to quietness, and no great political question to serve. In the Northern Island it was different: they had to quiet the Natives, to open out large and fertile tracts of land, and, for that purpose, nothing would be more useful than the construction of a railway, as far as he could

judge. He had no knowledge whether the honorable gentlemen to whom he had alluded, and who might be considered a party in the House, were going in for a railway, and he could not say whether he could support or oppose their views; but, so far as the Bill before them was concerned, he felt disappointed with it, inasmuch as he believed that the Government had intended going in for a colonial, and not a mere provincial scheme.

The Hon. Mr. STOKES said, in rising to support the second reading of the Bill, he thought it right at once to intimate his intention of moving, in Committee, an important alteration in one of the schedules. The Bill in some respects was so similar to one recently before the Council, that in the present discussion they would probably travel over the same ground and repeat many of the same arguments. The Bill he alluded to attempted to fix the exact gauge to be used in any railway to be constructed in New Zealand. This Bill prescribed the railways to be commenced and the conditions under which the contracts were to be carried out, and divided the proposed lines into three classes: the first containing a list of those lines of railway to which the sanction of the Legislature was to be immediately given, and pecuniary assistance afforded in carrying them out; to the second class the same sanction was to be given under somewhat different conditions; while in the third class, provision was to be made for the surveys, and other preliminary steps to be taken, with a view to future action. In other words, while a distinct pledge was given to proceed immediately with the railways contained in the first and second schedules, and pecuniary aid offered for their construction, for that railway in the Northern Island, which, having regard to the present circumstances, he did not hesitate to say was the most important that could be constructed, they were asked to be content with promises. He feared that, if they remained content with promises only, having regard to the news that had recently arrived from Europe, and to the numerous accidents and difficulties that might occur before those promises were fulfilled, they would possibly find that those who made them might "keep their word to our ear, but break it to our hope." Upon all considerations affecting the general peace and prosperity of the Colony, if there was any one line that ought to be first constructed it was the railway from Wellington to Napier, and the line from Wanganui to New Plymouth to be connected with it. Apart from all other considerations, he maintained that, on political grounds alone, if they wished to insure the future peace of the Northern Island, the wisest, the cheapest, and best course to be pursued, would be the construction of the line to which he referred. And for that reason he intended, when the Bill went into Committee, to move that the line from Wellington to Napier, and from Wanganui and New Plymouth, be transferred from the third to the first schedule. Notwithstanding all that had been said, he believed that the Ministry possessed sufficient general information, both as to the

direction of the line and the cost of its construction, to enable them, if they chose, to take such steps as would enable them to take immediate proceedings without waiting until the next session of parliament. The Colonial Secretary had alluded to what he called a general scramble, and that he was desirous to prevent that scramble from taking place. He quite agreed with the honorable member, and it was for that reason that he was anxious to place the line alluded to in the first schedule, in order that they might all start fair, and that no advantage should be given to the Middle Island over them in a work so essential to the future prosperity of the country, or that they should be allowed to suffer from the evils arising from hope deferred. He (the Colonial Secretary) had also said that there were three lines from Wellington to Napier, with respect to which the Government were undecided. The proposals were, to run the line through the Hutt Valley, or through the Wai-nui-o-mata Valley, or along the coast. If they considered these routes upon practical grounds—the one that would prove most useful and that could be constructed at the least expense—there could be but one opinion as to the direction of the line. Certainly they were not going to construct the line along the coast. The only advantage in running it in that direction would be, to give passengers an opportunity of hearing—“What are the wild waves saying.” It was a recognized rule with regard to all railways, that they should be taken where there was the prospect of the greatest ultimate traffic; that they should be taken through districts where population had settled, or was likely to settle; which was certainly not the case in the direction of Palliser Bay and along the coast. The honorable member, he believed, had only referred to this line, to use a trite expression, to draw a red herring across the scent, and to frighten those who might give the subject any attention as to the difficulties to be surmounted in connection with the Rimutaka Range. In his opinion, a line would be constructed with less expense over that range, without reference to the other advantages, than if it were to be carried along the coast. Upon the question of construction he would wish to say a few words, and read some extracts which contained valuable information with respect to this subject—much more, in fact, than the report before them. He had heard it described as a very able and exhaustive report, but it appeared to him to have been drawn up in a very superficial and perfunctory manner. It seemed chiefly based upon the information of Sir Charles Fox to the Commissioners in London. Sir Charles Fox had recommended the 3 feet 6 inch gauge, and this had been adopted upon the dictum of Sir Charles Fox. He wished to read to the Council a description of the Festiniog Railway, to which he had, during a previous debate, referred in general terms, and which in some degree shadowed forth the railway over the Rimutaka Range. It was published in the *Times*, under the head of “Railways of the Future.” The experiments adverted to were made for the purpose of giving information

to the Russian commissioners sent over by the Emperor to England. Before proceeding to read the extract, he might refer to one point about which his friend Mr. Lee was anxious. That was the gauge of the Canterbury railways; and it would be seen, from the extract he was about to read, that there might be some advantage in Canterbury having recourse to the narrow gauge principle. The matter originated as follows:—The Emperor of Russia was constructing what was known as the Poti and Tiflis Railway, being 300 versts in length, or about 200 miles, the contract for which was taken by an Englishman. The works were partly commenced, and it was at that stage attention was directed to the question. The particulars would be best gathered from the extract he was about to read:—

“The characteristics of the system will appear in the sequel; for the present we proceed to state that Mr. Power, the vice-chairman of the Poti and Tiflis Railway Company (a railway of 300 versts, in the Caucasus), and Mr. Crawley, the contractor for its construction, were so struck with the merits of the Fairlie system, that they strongly recommended its adoption to the Russian Government, not only for the line prepared in the Caucasus, but also for all lines throughout that vast empire, where railways are of prime necessity, and where now, according to the new plan, five miles can be provided at a cost which was swallowed up in three miles, according to the old one. The recommendation carried the greater weight, inasmuch as the works of the Poti and Tiflis Railway were far advanced, and on a length of 15 versts the rails are actually laid down. The proposition therefore was, that the Russian Government would find their advantage, even on these conditions, of changing the plans on which so much work had been expended, taking up the rails which have been laid down, and constructing the line on a gauge of 2 feet 6 inches, or exactly half the standard Russian gauge.”

Now, if he might compare small things with great, if he might compare the Province of Canterbury to the Russian empire, and his honorable friend to the Autocrat, he would recommend him to lay those principles seriously to heart, and see whether the amount of railway that has been commenced in the Province of Canterbury might not be advantageously changed into the narrow gauge. He would now read the description of the Festiniog Railway:—

“The Festiniog Railway, which is pronounced by no less an authority than Captain Tyler, the inspector of railways, to be the most instructive line in the three kingdoms, and which seems destined by its success to give a new impulse to railway engineering, is itself one of the oldest in existence. The Act for it was obtained in 1832, but in the first instance it was constructed only for horse traction. It is a single line, 13½ miles in length, with a branch of one mile connecting the slate quarries of Festiniog with the quays of Portmadoc. The terminus at Festiniog has 700 feet of elevation above that at Portmadoc, the average gradient being one in 92, which is enough to secure the descent of the trains on the return

journey from Festiniog to Portmadoc by the impetus of gravitation—or, as the Welshman puts it, ‘by its own impittence.’ The line runs through a rude, rocky country, and has to adapt itself to an endless variety of curves along the contour of the hills, so that a train of any length has frequently to wriggle in serpentine fashion along two or three reverse curves, some of them sharp enough—the radius being $1\frac{1}{2}$ chains. On these curves the cant or super-elevation of the outer rails is never more than three inches. The line, in the old days when it was worked by horses, was originally laid with rails of 16lb. to the yard. When, about eight years ago, it was adapted to the locomotive, it was fitted with rails of 30lb. to the yard, most of which have been in use ever since. These, however, were found too light for the work, and are now being replaced by double-headed rails of 48 $\frac{1}{2}$ lb. to the yard. The wheels of the carriages being less than 2 feet apart, it is found convenient to arrange most of those for passengers after the fashion of an Irish car, with footboard overhanging the wheels. In this way the carriages are so low hung, and even carriages of the ordinary build are so near the ground in consequence of the small diameter of the wheels, that the expense of platforms at the stations is avoided. The whole expense of constructing and reconstructing the line, including tunnels, one of them 700 yards in length, with branch lines to the slate company’s inclined planes and the quays at Portmadoc—in all 14 miles, has been £75,000, or at the rate of £5,378 a mile. The value of the rolling stock on the line is £28,000, or at the rate of £2,000 a mile. And now comes the most important point of all, which is that the original capital of the company is £36,185, and that all the extra money which has been laid out upon the line has been taken from revenue. In this sense, therefore, as the net revenue of the company is £10,622, it appears that the line yields a dividend of 29 $\frac{1}{2}$ per cent. on the original capital. A sum of £50,000, however, paid out of revenue for improvements and reconstructions, has been capitalized—making the total capital £86,185. In this sense the net revenue of the line yields a dividend of 12 $\frac{1}{2}$ per cent. Whichever way the fact is to be stated, it is a most remarkable one, and must fill many a shareholder’s heart with envy.”

He would not weary the Council by reading the accounts of the experiments, but would only read one more extract as to the results of those experiments:—

“After the experiments on the Festiniog Railway the exploring party met together in Council, under the presidency of the Duke of Sutherland, to hear Mr. Spooner read a paper on the wonderful little line of which he is the engineer, and to compare with each other their notes and impressions. Mr. Spooner gave ample information on every detail connected with his railway, which, in the year ending June, 1869, had a mineral traffic of 118,132 tons, a goods traffic of 18,600 tons, and a passenger traffic of 97,000 persons, but no night traffic and no Sunday trains.”

He did not hesitate to say that that traffic represented an amount which was greater than

any railway in New Zealand would carry within the next thirty years.

“His paper will, no doubt, be published, and those who may be interested in the subject will find in it all the statistics of which we have given the cream. We only state here that he wound up his remarks by saying that he does not recommend for light railways a gauge so narrow as 2 feet. The gauge he recommends is one of 2 feet 6 inches. The large amount of traffic which can be done with ease on lines of this limit is, he said, really surprising, and with the Fairlie engine it is quite equal to that which can be earned on a 4 feet 8 $\frac{1}{2}$ inch gauge. Hereupon the discussion became general, but we can refer to only a few of the opinions which were expressed. The Duke of Sutherland said he wished he had known more of the Festiniog Railway six years ago. ‘I have expended,’ said His Grace, ‘about £200,000 in promoting and making railways in the North. Had these lines been constructed on the narrow gauge, and had they, in consequence, cost only two-thirds of the sum that has been expended on them, I should have obtained a direct return on this large sum which I have laid out for the benefit of my estates and of the people in those remote districts. As it is, I shall suffer considerable loss.’ Then Mr. Crawley insisted, in a vigorous argument, on the perfect sufficiency of a 2 feet 6 inch gauge, if worked on the Fairlie system, for the heaviest traffic, and on the folly, if this were sufficient, of adding another inch to the gauge.”

He would not further refer to the subject beyond saying that the advocates of the Fairlie system declared that those engines could be worked on the Mont Cenis Railway, on a gradient of 1 in 12, without a middle rail. He desired to say a word on the line to Napier across the Rimutaka Range. If that engine could go over Mont Cenis, it would be absurd to say that they could not make a railway over the Rimutaka Range, the cost of which would not exceed £3,500 a mile. There was sufficient information within the reach of the General Government, and he ventured to say that within the next six months the General Government, if they had the will, would be able to enter upon that undertaking. That information was quite as good as much of the information in respect to some of the railways in the first schedule. He need only refer to the fact which was pointed out by his honorable friend Colonel Russell, that the Superintendent of Auckland coolly added some hundreds per mile on the expense of the Auckland line, to make up for any under estimate on the three first miles. No one could say that that was sufficient information to warrant the General Government in giving their sanction to that line. They had been told of certain pressure that had been exerted, but what was that pressure? On the one hand they had the Provinces with the largest number of representatives outnumbering the rest of the members in the other House, and on the other they had the necessities of the Colony. They had the question between political expediency and the

dictates of conscience; that was the alternative which was placed before them. He contended that if this railway were made, it would be made at no greater cost than any of the other lines which were placed in the first schedule, and it would establish the future peace and security of the country; it would employ the Natives and people the interior of the country. He observed, by that evening's paper, that nearly half a million of acres of the finest land in the Colony had just been acquired by the Government in the Seventy-Mile Bush, and that land would go very far towards paying the expense of this railway—certainly, with the addition of a guarantee, this railway, which was most wanted, would be constructed at a cheaper rate than any of the lines in the first schedule. If that was the case, he thought he had made out clearly and to the satisfaction of the Council that sufficient information was at the disposal of the Government, and that this work was absolutely necessary, not for local interests but for the safety and security of the Colony. They had passed Bills for the purpose of borrowing millions, and what had been the object of entering into those engagements for immigration and public works? Surely not to make railways in the Middle Island only. Their object, if they were really honest and sincere in what they were about to do, ought to be to represent to the people at home, from whom they were about to borrow, that their first care and their greatest desire was to secure the future peace and tranquillity of the country, which, he believed, could be accomplished by no other course so well or so soon as by the construction of this railway. For those reasons he should take the opportunity, when they went into Committee, to move that the line from Wellington to Napier, with a line from Wanganui to Taranaki, be transferred to the first schedule, and with that exception he should support the second reading of the Bill.

The Hon. Colonel KENNY would have been glad to have heard what some honorable members had to say in reference to the measure before the Council, but he found that it was quite impossible to indulge in that desire at the expense of listening to the repeated and unnecessarily lengthy speeches which had been inflicted upon them during the last few days. His honorable friend Colonel Russell had opened the debate after the measure had been introduced by the Colonial Secretary, and he must say that it was with surprise and regret that he heard him say that it was not his intention to vote against the second reading of the Bill.

The Hon. Colonel RUSSELL was not aware that he had said anything of the kind.

The Hon. Colonel KENNY must, in that case, have laboured under a misapprehension. He was glad to find that his honorable friend had not said so, and that he would vote against the second reading of the Bill, just as he had done in respect to the Immigration and Public Works Bill.

The Hon. Colonel RUSSELL held himself perfectly unpledged.

The Hon. Colonel KENNY.—The honorable

member hinted that there was a certain party in the Council who intended to take a certain course in opposing the Bill. Then the honorable member, Mr. Stokes, followed, who did not leave the matter at all in doubt, but avowed his intention of introducing certain amendments into the Bill when it was in Committee. All he could say was, that those amendments were of such a nature that it would be utterly impossible that he could give them his support. If certain pressure had been brought to bear upon the Government, and so many members had risen one after the other and deprecated that pressure, why did the honorable member himself propose to add to that pressure and seek to introduce additional railways, at the same time that he objected to what had been done by others in the same direction? The honorable member was utterly inconsistent. He should take an independent course, without connecting himself with one single member of the Council. He objected to this measure for the same reason that he objected to the whole scheme, namely, on account of its immensity and its unsuitableness to the circumstances and condition of the Colony. If he had objected to the measure as it was brought in by the Government, he should, as a matter of course, object to it still more if the details were magnified, as some honorable gentlemen intended to propose. He did not think that the indiscriminate construction of railways was that which was most urgently demanded by the Colony at the present time. The whole scheme was either good or bad, and it ought either to be supported or rejected. He had no sympathy with those circuitous, strategical operations which some persons thought necessary in politics, and he should vote against the second reading of the Bill as being the most simple, honest, and straightforward course. He could not go with those honorable members who sought to introduce other railways into the Bill to suit their private interests, and if other honorable members sought to obstruct the Bill, and render it unworkable, by a variety of amendments, he would not link himself with them. He should be very glad, as he had been in respect to the Immigration and Public Works Bill, to endeavour to reduce the expenditure, and to restrict its operation to a certain period and to a certain extent. He should offer no factious opposition, nor had he ever done so; but when he conscientiously believed that a measure was a bad one he should oppose it if he stood alone, and he thought that every honorable member had a right to do that without being censured by the Government, and without coming into collision with other members of the Council.

The Hon. Colonel WHITMORE, C.M.G., said that throughout the debates which had taken place on the various subjects connected with the financial scheme, he had taken what he conceived to be one uniform and consistent course. He had pleaded for delay, in order that nothing should be done until all the plans and estimates for a complete system of lines were laid before the Assembly. He had done his best to effect that object, first, directly; secondly, indirectly; and lastly, when he could not gain his point, he had

voted against the measure. With respect to this particular Bill, he should take a more decided course, because he thought the circumstances were very much altered since the time when the scheme was brought down to the Legislature. The argument with which he had always been met when he pleaded for the least delay or limitation, had always been that they must hurry on now because money was so cheap. That argument had been altogether dispelled by the intelligence which had reached them within the last twenty-four hours. No honorable gentleman could now stand up and tell him that money could be obtained in England at a cheaper rate than for many years previously, or for many years to come. He believed that money was more difficult to obtain in England than at any period since the financial panic of 1866. Therefore, they had breathing time, and as prudent men they should avail themselves of it. The arrival of the telegraphic news a day or two before the session broke up was a providential interposition, and it was their duty to take advantage of the information which was in their possession. If he had been called upon to give advice in the matter, he should have said that the wisest course for them to pursue would have been to contract for the whole system of railways which it was proposed to carry out in both Islands, to be executed piecemeal as their means would allow. He, however, perceived that many practical people differed with him in this respect, and perhaps after all he spoke more from a theoretical than from a practical point of view. Still, he thought nobody would say that they could not do more justice to the scheme if it were properly laid before them and if they knew the exact limit of the undertaking. For these reasons he should move, before he resumed his seat, that the Bill be read again that day six months. The Hon. the Colonial Secretary had referred to the danger that might arise if the Government gave way to pressure. In alluding to what the Hon. Mr. Stokes had said, the honorable member referred to the Taranaki railway as an instance of the pressure which had been successfully resisted by the Government. He threw back those words upon the honorable gentleman. He gave the Colonial Treasurer credit for courage and firmness, but regretted that he did not act in accordance with the views which he originally held in regard to this matter; but it was not unknown that some of his colleagues had encouraged if not incited the pressure.

The Hon. Mr. GISBORNE.—No.

The Hon. Colonel WHITMORE, C.M.G., said that if he had been misinformed, it did not arise from any lack of endeavour on his part to get reliable information.

The Hon. Mr. GISBORNE said the Government had incited no pressure; they resisted it.

The Hon. Colonel WHITMORE, C.M.G., remarked that members who brought that pressure to bear upon the Government had been, so he understood, in communication with some of the members of the Cabinet, and were thanked for the course which they had adopted. He, of course, spoke under correction.

The Hon. Mr. GISBORNE said the Government came to a certain decision, and they adhered to it. They were aware that opposition would be brought to bear against that decision, and they resisted it. He really could not see what object the Government could possibly have in inciting opposition to their own measure.

The Hon. Colonel WHITMORE, C.M.G., said it had been stated by an influential member, publicly, that a member of the Government had thanked him for taking the course which was adopted, and said he had endeavoured to take it himself in vain.

The Hon. Mr. SEWELL would suggest to the honorable and gallant member that these references to private circumstances, of which they knew nothing, were rather inconvenient.

The Hon. Mr. GISBORNE asked the honorable and gallant gentleman to mention the name of the gentleman he alluded to.

The Hon. Colonel WHITMORE, C.M.G., said he did not flinch from doing that. The statement was not, certainly, made in Parliament, but it was stated publicly enough that the Premier thanked a well-known person for the course he had taken in pressing this particular railway upon his colleagues.

The Hon. Mr. GISBORNE remarked that the Premier, notwithstanding that he was a representative for a part of the district through which this railway would go, stated in the House most openly and positively his concurrence in the policy of the Government. What could possibly induce the Premier to thank an honorable gentleman for doing that to which he himself objected? He did know, however, that the Premier strongly expressed his concurrence in the course adopted by the Government.

The Hon. Colonel WHITMORE, C.M.G., said that if the newspapers had not misrepresented the honorable gentleman he said that he was at first favourable to this idea, but afterwards changed his mind. He was not aware whether the same report appeared in *Hansard*, but that was what had appeared in the newspapers of the day.

The Hon. Mr. GISBORNE said he had it from the lips of the Premier himself, that he never thanked any member for recommending that this railway be authorized during the present session, and the Premier also stated in the House that although at first the tendency of his mind was that the construction of the railway might be authorized this session, on consideration he changed his opinion and fully coincided with the course the Government proposed to adopt in this Bill.

The Hon. Colonel WHITMORE, C.M.G., said that of course he must accept the explanation of the honorable member, but he believed that a great deal of the pressure which had been brought to bear would not have been experienced if it had not been believed that a large section of the Cabinet supported it.

The Hon. Mr. SEWELL remarked that at no private conference of the Cabinet at which he was present had one word been spoken which bore out

the statements of the honorable and gallant gentleman.

The Hon. Colonel WHITMORE, C.M.G., said he must, of course, accept the explanation, but the impressions which had been left on his mind had been also created in the minds of other honorable gentlemen. If he should be unable to carry his amendment, he should be prepared to continue in the same course which he had adopted hitherto. He would work with those gentlemen who proposed to carry out still further a main line through the North Island, and he should be equally anxious to aid those gentlemen who were determined to carry it through the South Island, because, if they laid down positively what lines were to be proceeded with, they would not experience, in future sessions, that pressure which was so much dreaded at the present time. The honorable gentleman seemed to think that the Government would be subjected to obstructions raised by those persons who might wish to deflect the line a mile or two from the course laid down in this Bill. He, however, thought the Government would be strong enough to resist that pressure. The pressure which the Government would have to contend against would be that which would be brought to bear against them by their own supporters and opponents in Parliament. If they did not decide where the money was to be expended for which they were obtaining these loans, the question would be brought up every session, and each member would use all the influence he could bring to bear to get the money expended in his own district. He really was afraid that the Ministry would hereafter be compelled to purchase support by grants of useless railways, and that was the reason why he wished some complete line should be laid down; straight or crooked, it did not matter which, so that it was decided, and he would be prepared to support any Government who would stick with cast-iron tenacity to that decision. If the money had been borrowed on the understanding that the line was not to be changed, it would prevent future Governments from experiencing a great deal of that pressure to which the honorable gentleman had alluded. The pressure raised in the present instance was not in point, because it appeared that it had arisen, to a great extent, from a misapprehension; because those gentlemen believed they were doing what was desired by the Government or they would not have done what they did do. There were some remarks made which he could not help regarding as unfair to the North Island; there appeared to have been an endeavour to excite jealousy between the two Islands. Some honorable members desired to place the proposition for a certain railway in schedule 1, and he intended to give those gentlemen his support; because, if they did not lay it down now there would be far less chance of getting it done next year. He thought he was justified in saying, on the part of the people of the North Island, that they would not feel the smallest degree of jealousy if a greater proportion of the money should be spent in the

South Island, provided they were assured that they would afterwards get their proper proportion of the expenditure. In his opinion it was only right that Superintendents should advocate the claims of their own particular Provinces; and unless they did that, he could not see what they were expected to do. The Hon. the Colonial Secretary had told the Council that the Government were bound not to undertake any railways except those in regard to which they had got definite information. He, however, would ask the honorable gentleman what information the Government had got in regard to any railway mentioned in the schedule. He was aware that the Provincial Government had provided certain information, but what, he would ask, was the good of a General Government if they had to rely upon the Provincial Governments for information; and again, he contended that any information which had been received and which had not been checked by properly educated persons, whose information could be vouched for by the General Government, should not be regarded as strictly reliable. He should now support all railways that were of a grand trunk character being placed in the first schedule, because all railways so disposed of would be removed from the general scramble to which the honorable member had alluded, and so many more steps towards the completion of the grand trunk line. He thought it was better to take half a loaf than have no bread; and if he could not throw out this Bill, he was prepared to adopt the next best course. A good deal had been said about the Nelson and Cobden line, and as the Colonial Secretary stated that he would only advocate those railways which were likely to open up agricultural districts, he wished to know where such districts were to be found in this instance. He had made inquiries into the matter, and the result of those inquiries induced him to oppose the construction of that railway. He did not think it could be looked upon in the light of a grand trunk railway, and apparently it would lead to no place in particular. If it had been proposed to open up the Brunner coal field, some reason might have been advanced for spending the money, and that would have been a proposition which he should have felt inclined to support. There seemed to be no intention to carry on the Blenheim and Christchurch line. He regretted that this was the case, because it would be a direct arterial line throughout the South Island. The Christchurch and Dunedin railway would be facilitated by the lines now proposed to be constructed; therefore, he should support them. For the same reasons he would support the Auckland railway. He would not say that the line from Napier would be of any great military advantage. He could not say that it would facilitate the pacification of the country, although the line to the West Coast might do so. He also felt doubtful whether the line which connected Auckland with Wellington ought to go by Napier, but this could be ascertained. With regard to the line proposed to Napier, he believed there would be very little difficulty in carrying it out. He had received information from people

who knew the country, who stated that the portion running through the Seventy-Mile Bush would present no engineering difficulty, and that it would probably be one of the most inexpensive in the country. The *Evening Post* stated that half a million acres had been purchased in the Seventy-Mile Bush. He was not going to say that that was a very valuable district; it might be, but he did not think it was sufficiently well known to enable any person to speak confidently on the point; still, if they put that railway in the first schedule, a large portion of that district would be bought for another purpose. In that district there was some very valuable timber, of a kind which was rapidly disappearing from the Wellington district, as well as from that of Napier. Whether the soil was valuable or not he was unable to say, but there was a splendid forest of valuable totara there. The existence of valuable timber in the neighbourhood might not be a sufficient reason for constructing a railway, but it would be at least help to make any railway constructed there remunerative; for if it would pay to bring timber from the Wairarapa to Wellington in drays, it would be at once seen that it would pay much better to bring it by railway. He moved that the Bill be read again that day six months.

The Hon. Mr. WATERHOUSE.—Sir, it is not my intention to occupy the time of the Council with any lengthened remarks. I fully recognize that the present is the time for action rather than the time for debate, and that by lengthened remarks I might rather weaken than advance my cause. While I say this I cannot abstain from speaking upon a subject of such vast importance, and I should feel that I was failing in my duty if I were altogether silent. I regretted to hear the remarks of my honorable friend Colonel Kenny—who is not now in his place—and the course of conduct which he indicated his intention of adopting. I refer to it now, when he is out of his place, because it is possible that other honorable gentlemen may intend to adopt a similar line of conduct. He has told us that, having opposed the Bill as a whole, he thought it was his duty to oppose it in detail. I cannot agree with that reasoning. I think it is quite consistent for honorable gentlemen who have opposed the scheme as a whole to apply themselves to the improvement of the details, so as to make it workable, instead of systematically voting against it. I think that in adopting this course no one acts inconsistently, but may, on the contrary, be both honest and conscientious. It was with great regret that I heard the remarks of my honorable friend Colonel Whitmore with respect to the conduct of the Ministry. I think that he went beyond the bounds of legitimate debate. It is not within the bounds of legitimate debate that any member of the House should endeavour to make out that the private opinions of the Ministry are inconsistent with their public professions. In these matters we have to deal with the public opinions of public men, and we go beyond our province when we take account of private conversations and private actions, although they may be those of public men. If we do not observe

that difference, debate will be embittered, and the freedom of intercourse amongst ourselves will be very materially restricted. Nor can I agree with the honorable and gallant gentleman, that the existing state of the money market in England is any reason why this Bill should not be proceeded with. Fortunately, this Bill is, to a certain extent, independent of the money market. It is independent to the extent that if the money cannot be borrowed on the terms we have laid down, it will not be put into operation. In one part of the Bill we provide that certain works are to be done on a guarantee of $5\frac{1}{2}$ per cent., and if the state of the English money market will not admit of contractors undertaking the works at that rate, they will not be executed. In the Immigration and Public Works Bill we have authorized the Government to raise money upon such terms as we ourselves think it wise and judicious to give; we have laid down a prudent limit, beyond which the Government could not go, and if the state of the English money market will not permit of their borrowing on those terms, the Bill cannot be given effect to. We consistently proceed with these Bills, believing that there may be a change in the English money market, which will be favourable to us. We have seen such repeated changes in the English money market that I think there is reason to believe that we may see the state of that market so favourable, in a short time, that we will be able to give effect to these loans upon terms which we may think desirable. I would notice, with some degree of regret, the references which have been made to the Middle and North Islands, as if there were two distinct interests. I wish always to remember that I am a colonist of New Zealand, and to rise above local considerations. I detest the idea of being the inhabitant of a parish, with all the narrow views of those who never look beyond the boundaries of a parish. I wish to be a member of the Colony, and to get rid of the feeling that I am simply an inhabitant of a Province. I wish, in all that I do, to be conscious that I am acting as a colonist, and I feel that no part of the Colony can benefit without every part being benefited. You cannot warm the extremities without the heart feeling the action; you cannot benefit Southland without benefiting the Bay of Islands. We are all parts of one great whole; let us, therefore, look at matters from a colonial, and not from a narrow, provincial point of view. We have heard of great pressure being brought to bear upon the Government. I admit that I have seen indications of such a pressure being brought to bear, and I have seen it with very great regret. For myself, I may say that I have throughout refused to be a party to bringing any pressure to bear upon the Government. I felt that it would not be seemly for me—intending, as I did, to vote for the second reading of the measure—to adopt a line of action which might cause the feeling to be created that in my public conduct I have been influenced by some private concessions which had been made by the Government. But while I have opposed pressure of that sort, there is a

legitimate pressure which we can all bring to bear upon the Government; that pressure which, as members of the House, it is not only our privilege, but our duty, to exert—a pressure which we should exert, not as residents in a Province, not as inhabitants of one Island or the other, but as representatives of the Colony at large. It is that legitimate pressure which I wish to bring to bear upon the Government, advocating simply those measures which I conceive to be of general and of local importance. While exerting legitimate pressure, I will at once say that if my views upon any particular matter are not acceded to, and I cannot get my own way, it will not, therefore, cause me to oppose the Bill, but, on the contrary, I will strive to make it the best I can, and will bow, with a good grace, to the decision of the majority, cordially supporting the measure if it carries prosperity to any portion of the Colony, however remote it may be, because I feel that we cannot have roads or railways in any part of the Colony without benefiting the whole. At the same time, I think there is some excuse for those honorable members who hailed the scheme with gratification when it was first propounded, but who now oppose it on account of the comparatively miserable proportions to which it has been reduced. There was a grandness about the original scheme which attracted the admiration of the public at large; but, when we consider the Bill before us, we cannot but feel that that grandness of design has miserably miscarried when the scheme has had to be reduced to paper. Instead of one colonial scheme, calculated to advance the interests of the Colony as a whole, we find it reduced to a number of small details. The measures are simply of local importance, and not such as are calculated to promote the general welfare of the Colony. This is one of the drawbacks to the present Bill, which may, to some extent, excuse the conduct of those honorable members who feel it their duty to vote against it, although they may have approved of the original scheme. I shall not adopt that course, but shall do my best, in concert with other honorable members, to bring back the scheme to its original design, and give it that general importance which, at the present time, it does not possess. There is one line which has been referred to by my honorable friend Mr. Stokes, in respect to which he has intimated his intention of moving that it be transferred from one schedule to the other. I feel some hesitancy in referring to this particular line, because it is one in which I cannot but feel more or less personally interested, and I always distrust my own judgment when I see that the action I am about to take may be even indirectly beneficial to my own interests. Although this line will not go within ten miles of my property, I feel that it cannot pass through that neighbourhood without benefiting every person there; therefore, I labour under some disadvantage, as it may be imagined that my views are tinged by my interests, and, consequently, I shall not speak as fully on the subject as I should otherwise do. I will not speak of it at all as a local matter, although, as a local matter, it ranks with any of

the lines which are in the first schedule, because it will greatly tend to develop the resources of that part of the Colony, but I will consider it as being a matter of colonial importance. Its importance in this sense has been acknowledged by my honorable friend the Colonial Secretary, who has told us that it was the anxious wish of the Government to construct it as soon as possible, because—I quote his own words—"it was calculated to make a satisfactory settlement of Native affairs." Now, any measure calculated to make a satisfactory settlement of Native affairs, is a measure of colonial importance. It rises above all local considerations, and becomes a grand measure of colonial importance; in that respect it differs from other measures in the schedule, which do not possess the same attractive feature. That railroad once made, it must be evident to honorable members that the Native difficulty is effectually broken. That expenditure once made, the cost of controlling the Natives would be forthwith reduced by at least one-half. The contemplated cost of restraining the Natives for the next five years is no less than £150,000 a year. If, by making that railroad, we can reduce that expenditure to half—and I believe it will be admitted that such would be the effect—then we will save an amount in that very expenditure equal to paying the interest upon the whole cost of that line, even if we had no other resources to help us in making it, and no income to derive from it in the way of profit. This is an important feature, which I trust will not escape the attention of honorable members. Indirectly, it would lead to the settlement and to the population of large tracts of country, and the very presence of that population would have its effect on the Native mind, and would make it difficult for them to raise a rebellion with any prospect of success. I hope we shall be able to remedy this defect in the Bill, and to restore to it those features which rendered its initiation so attractive, and that we shall make it more general and colonial. I shall try and do my best, but, at the same time, if I do not succeed, I will endeavour to make it as workable as possible, and do my best to enable railroads to be made north and south, however far distant they may be from me, confident that one part of the Colony cannot be benefited without the whole Colony gaining advantage from it.

The Hon. Dr. GRACE was sorry that he felt bound to vote against the second reading of the Bill, because he could not get over the idea that they were about to deal with large sums of money in a very lavish manner. He found that, under the Immigration and Public Works Bill, they had already placed at the disposal of the Government £100,000 for roads, £100,000 for railways, any sum not exceeding £300,000 for waterworks on gold fields, £200,000 for land purchase, and £150,000 for immigration, for the eighteen months ending the 31st December, 1871. He felt certain that if the Government administered those works judiciously, and with sufficient care, they would do very well indeed; and, therefore, although he was fully impressed with the importance of those

lines, he could not support the second reading of a Bill which was likely to throw such an enormous increase of work on the hands of Ministers, who had their hands sufficiently full at the present time.

The Hon. Mr. GISBORNE.—There will be another Minister specially appointed.

The Hon. Dr. GRACE was quite aware of that, but he did not think that the new Minister would be able to do more than superintend the administration of the moneys already provided. He was sorry that his views were limited, but he could not help it. He had, all through, endeavoured to rise equal to the occasion, and to comprehend the sagacity of flooding the country with those large sums of money. He was quite prepared to be met by the grand objection, "You have voted £100,000 for immigration this year,—what will you do with the immigrants unless there are railways constructed?" His answer to that objection was, that in the next twelve months we could not introduce more than 5,000 or 6,000 men, and, putting aside the impetus to trade and industry which would be given by the expenditure which he had already cited, if the natural elasticity of the Colony was not sufficient to admit of the absorption of 5,000 or 6,000 men, the Colony then must be in such a wretched condition as to afford no reasonable hope of its capacity to bear these new and enormous burdens. He did not see that they were called upon to hurry the construction of those railways. At the same time, if he did not succeed in throwing out the Bill, he was prepared to support the amendment of his honorable friend Mr. Stokes. He was glad to see the Hon. the Minister of Justice laugh, because he liked to follow a good laugh with a good reason. If ever immature haste was in any sense justifiable, it would be justifiable in a case of this kind, where we are bound, by all common sense and prudence, to take the largest advantage of that lull which at present exists in Native affairs for the energetic furtherance of our works. He might be quite wrong in the matter, but he did say that if we allowed time for the incoherent elements of bitterness and discord, which were now scattered over the country, to take a decided shape, such a spirit of hostility would grow up that we should not be in a position to carry out the works, and he declared, with confidence, that if we did not push forward these works in the Northern Island, we would have missed the "tide in our affairs."

The Hon. Mr. GISBORNE.—Then why do you vote against the second reading?

The Hon. Dr. GRACE did so because he conceived, on the one hand, that the expenditure was beyond our resources, and, on the other, that as large a sum as could be judiciously administered had already been provided. Feeling that he possessed no influence, he never addressed the Council when he could avoid it. But he should like to have seen £300,000 voted for expenditure in the Northern Island—expended thus: £100,000 for the purchase of land, and the remaining £200,000 for the construction of railways. He would not like, on any condition, to force the

country into the hasty expenditure of such large sums as those contemplated by this Bill, but if the choice between the two evils as to locality of expenditure were forced upon him, he must take that which gave the greatest hope for good, and that, he considered, was to be found in the construction of lines of railway in the Northern Island for the pacification of the country.

The Hon. Mr. SEWELL.—We are extremely grateful to the Hon. Dr. Grace for the anxiety with which he seeks to relieve us from a large amount of work; but we are going to endeavour to obtain that assistance which will enable us to bear the burden. I was a little surprised at the course of my honorable friend's argument. I gathered from him that his first objection to the second reading of this Bill was, that we were pouring into the country a very large sum of money. Immediately afterwards he told us that if he should fail in throwing out the Bill he would endeavour to add as much as possible to the expenditure which we are about to incur. I will leave my honorable friend to reconcile his inconsistencies as he may. With respect to what has fallen from my honorable friend Mr. Waterhouse, I think that he has set us an example as to the spirit in which we should consider this measure. I do not altogether agree with the view he takes, but I think that the spirit with which he proposes to discuss this question is one which should govern all honorable members in their dealings, namely, that of looking at it in its broad, general aspect, with a view of determining what is best to be done, each member judging according to his own conscience, and having decided the principle of the measure, we should endeavour to work out the details in the best way possible. I think that the discussion has wandered away from the real question mooted in this Bill into mere matters of detail—as to whether this line or that should be constructed—which ought to be dealt with in Committee. We passed a Loan Bill the other day, authorizing the Government to raise a large sum of money, and specially appropriated a portion of it for the construction of railways; now we ask that that Bill should be supplemented by an authority for the construction of the particular railways contemplated by that vote. The question is not whether we shall construct particular railways here or there in the Middle or the Northern Island, but whether we shall give our assent to the general principle of constructing some railways. My honorable friend Colonel Kenny took a broad, general objection to the whole measure on account of its magnitude. If there had been one member more than another upon whose support I could have counted in respect to this measure, it was that particular member. I can refer to the honorable member's own speech, in a former debate, in which he gave his implied sanction to each one of the lines indicated in this Bill. First of all, he sanctioned the idea of laying out a considerable sum of money, to be obtained upon Imperial guarantee, on the construction of railways in the Northern Island. Then he told us he was prepared to allow

the Province of Otago to borrow large sums of money for a similar purpose; he was prepared to allow the Province of Canterbury to proceed with her railways; and he was not indisposed to allow the Province of Nelson to go on with its plans for constructing a railway from Nelson to Cobden. Now, it is perfectly true that all these plans, so far as they have received the sanction of the Assembly up to the present time, have been provincial plans. Each Province has proceeded upon its own footing, and has received the sanction of the Legislature to its particular lines. Every one of the railways in schedules 1 and 2 have received distinct parliamentary sanction. What possible objection can the honorable gentleman take to allowing us to proceed with those works? The honorable gentleman seems to imagine that there is some great difference between the plan which we are now adopting and that which would have been adopted if the Provinces had proceeded on their own account. The difference is that each Province then would have obtained a separate loan. It was impossible that any of those Provinces could have constructed the works out of their ordinary revenue, so that, in effect, it would have come to precisely the same measure which is now proposed, only that the Colony would in that case have parted with all control over these works, and we should have been unable to unite and combine them into a general system for the whole Colony. My honorable friend opposite seems to think that these plans are objectionable because they are local, and not sufficiently comprehensive. Must we lay down one continuous line or system of railway throughout the Colony before we move a step? We must proceed bit by bit, taking care that the joints of the whole system shall be so constructed as to form, eventually, one continuous whole.

The Hon. Dr. BUCHANAN.—There is the Dunedin and Clutha line.

The Hon. Mr. SEWELL.—That will pass through a tract of country thickly populated. It is a large agricultural district, and that line will of itself form part of that system of railways which we desire ultimately to see accomplished. But I am afraid honorable gentlemen have in their minds something beyond that idea. I fancy they want to add to our present proposals the Wairarapa line. I will not accuse any honorable gentleman of having a special local interest in that matter, because I believe that if an honorable member had any such separate interest, that would be a circumstance which would operate to prevent, rather than to induce, him to exercise any influence in that direction; but I think they are wrong in asking the Government to depart from the principle which they have laid down. What the Government said to the Legislature when they obtained its sanction to their scheme, was to this effect: "We ask you to give your sanction to the construction of such lines as are sufficiently matured for you to give your sanction to, and we have limited our application for the sanction of the Legislature to those lines that

have already received parliamentary sanction." About these there can be no question, but about those which have not been submitted to Parliament, and for which the materials for legislation are not ready, it would be transgressing that first and main principle on which we ought to proceed. Honorable members press upon us the construction of these lines, the necessity for which, in a political point of view, I admit. I am as anxious as anyone can be to see lines of railway opened in the Native districts, believing that they will have the effect of pacifying the Native districts, and will prevent a recurrence of those disasters which we have experienced during the last ten years. Do you suppose that the Government are not as anxious as honorable members can be to see that object accomplished? Do you think there will be any unnecessary delay on their part in pushing forward these operations as far and as fast as they can? But how can they do it now? What would be the use of giving power, by this Bill, to construct a railway before we have the necessary information to enable us to proceed, and even before knowing in what direction it is to be taken? We have been contending against objections made as if we were endeavouring to take upon ourselves exorbitant powers, and now you desire to throw upon us these powers in an immature state, and demand that we should proceed with works for which we are altogether unprepared. In the Immigration and Public Works Bill you have imposed upon us a condition that, before undertaking these works, we should have a reconnaissance survey, and now, before we have this, you propose to compel us immediately, and without this preliminary information, to commence these works. Sir, I must say that is unreasonable. I think the Government have taken a prudent and business-like course. Parliament has sanctioned those lines of railway which we ask you to allow us to include in our general scheme of railway; when anything beyond that is proposed, we request you to adhere to the rule which you have imposed upon us, and not endeavour to initiate other works before we have made any preliminary inquiries whatever. I ask you to be content with that, and with the assurance which we are prepared to give, that not an hour shall be lost in pushing forward these works to be constructed in the North Island so soon as they can be prudently commenced.

The Hon. Mr. J. P. TAYLOR remarked that the arguments of the honorable gentleman who had just addressed the Council appeared to be that certain honorable members were offering opposition to the construction of lines which had been placed in schedule 1 of this Bill, Parliament having previously sanctioned those lines. The Hon. the Minister of Justice seemed to think it would be inconsistent in honorable members to oppose them, and they were told that they must sanction the construction of those lines which had been placed in schedule 1 because they would be part of the grand trunk line. They had had that expression thrown at them *ad nauseam*, but nobody had yet told them whether the grand trunk line would go east or west; he

believed the impression was that it would go along the East Coast chiefly. What were honorable members to think of this scheme? How could they be satisfied with it when they could not form any idea of its magnitude or cost? Honorable gentlemen seemed to cast ridicule at the idea of putting certain railways into a certain schedule because there had not been any survey which would indicate their exact course, or from which they could gather their exact cost; but in the laying down of a general scheme of railway, similar information had not been furnished to honorable members, and in that state of uncertainty, without information as to the probable cost, or as to the probable course the line would take, it was unfair to attempt to throw upon honorable members the onus of being factious or inconsistent. They took the course which had been condemned, because they did not know to what they were going to pledge themselves, and for that reason many honorable members who, if there had been laid before them more definite information, would have supported the scheme, would now oppose it, simply for lack of that information. He intended to support the amendment that the Bill be read that day six months.

The Hon. Colonel RUSSELL said that he desired to make a few remarks with regard to the amendment of the honorable and gallant member, Colonel Whitmore, and allude to what had fallen from the honorable member, Colonel Kenny, who, he regretted, was not then in his place. He could easily conceive with what feelings he would vote, he having thought other honorable members showed an inconsistency in not having persevered to the end. He had spoken against the second reading of the Immigration and Public Works Bill for various reasons; but that scheme was unmistakably adopted, and since then the Council had adopted another Bill, in which they authorized the borrowing of four millions sterling, and he had believed it to be a necessary corollary to the other Bills. He did not remember stating that he would vote against the Bill; on the contrary, he had said that, until he had heard the amendments that were to be brought forward, of which he was then in utter ignorance, he would not say in which way he would vote. That difficulty had now been removed. He had heard the views expressed by the Hon. Mr. Stokes, in which he concurred, and the amendment by the Hon. Colonel Whitmore, in which he did not concur; and in voting against it he believed he would be acting with perfect consistency. What he understood to be the effect of the amendment moved by the Hon. Mr. Stokes was, to remove a certain line from schedule 3 to schedule 1, and in supporting that, he believed he would be acting consistently. He had been a staunch supporter of the Government until they had come to this scheme, and, whenever there had been occasion, he had always exercised his constitutional right of animadverting upon and criticizing the acts of the Government. That would always be his plan, and in carrying it out he should be very sorry to undertake a persevering hostility to that Government; on the contrary, his confidence in them, apart from any

connection with the present scheme, was as great at present as it ever was. But whenever a Bill or measure of any kind came before him, let it be brought up by any Government, he would exercise his fullest powers of criticizing, in the sharpest possible way, anything he saw wrong; and he saw a great deal wrong in the present Bill, and, although he would vote for the second reading, when it went into Committee, he would do his utmost to improve it.

The Hon. Dr. BUCHANAN would not like to give a silent vote on the present occasion. He thought when he said he intended to vote for the amendment he could not be charged with inconsistency. He supported the Immigration and Public Works Bill because, as he said at the time, he was told the Government did not intend to take any action in the way of the formation of railways until they had obtained full information on the subject during the recess, and would be prepared to come down, at the beginning of next session, with a comprehensive scheme by which they might decide in what parts of the country those railways were to be gone on with. Now they found that railways were to be constructed here and there in different parts of the country, altogether unconnected with one great scheme. The railway gauge in Canterbury was 5 feet 3 inches, that for Dunedin and Clutha 4 feet 8 inches, and then, again, from Blenheim to Picton 3 feet 6 inches. It seemed to him they were going on in a reckless way, blindfolded, and at railway speed. Those were his reasons for opposing the second reading of the Bill. In the face of the news brought by the mail on the previous day they ought to pause, and be contented with the guarantee by the Imperial Government, make the most of it, and not go on as they were doing now, altogether in the dark. The plan of the Government was immature and ill-considered, and he would vote for the amendment.

The Hon. Mr. BONAR said it was his intention to vote for the second reading of the Bill. He was glad to see the Government would desire, as far as possible, to carry out what was the desire of the majority of the Council, namely, that they should only undertake such lines in reference to which there was the fullest information, and ascertain, with regard to other lines to be constructed, all the information which was necessary to be laid before the Assembly. He did not see how honorable members could desire to have more railways placed on the schedule than were already contained in it. He found that, to be consistent, the Council could not ask that any more should be undertaken. They had limited the power of the Government, in borrowing, to one million, and they had already authorized, by the Immigration and Public Works Act, the expenditure of £100,000 for roads in the North Island, £200,000 for the purchase of land, £150,000 for immigration, and £100,000 for water supply on the gold fields. That was £550,000 which the Government were entitled to spend out of that million, only leaving something like £450,000 to be expended on railways during the current year. Now, that would be wholly

absorbed by the works described in the schedule of the present Bill, and therefore he did not see how it was possible for any additional railways to be constructed. He fully agreed with those honorable members who had spoken of the importance and necessity of having the railways in the North Island gone on with as soon as practicable, but he thought those honorable members ought to be thoroughly satisfied with those railways having been put down as the next works to be proceeded with. That was a recognition of their claim, and as soon as the necessary surveys could be made, and information obtained, the sanction of the House would be asked for proceeding with the construction of those railways. Without that information he did not see how it was possible for the House to authorize their construction, if they were to act consistently with their former decision. It had been their universal desire that they should have as full information as they could with reference to railways before they were undertaken. He thought, as regarded those railways mentioned in the schedule of the Bill, that the Government would exercise a wise discretion in limiting the works to such railways as had received the sanction of the House. He did not care whether that sanction was given with the idea that the works should be provincial or not, because he considered that the House, in coming to a decision upon the point, would give as careful and just consideration to any work which it sanctioned, whether it was provincial or otherwise. He would vote for the second reading of the Bill.

The Hon. Mr. SEYMOUR said it appeared to him that if any inconsistency lodged anywhere it was with those who intended to support the amendment. Certain honorable members had voted certain sums of money for immigration and public works, and when a measure came before them to define what those public works were to consist of, they moved that it be read that day six months. If no specific works were to be decided upon by the Council, what was the use of giving power to raise the money?

The Hon. Dr. GRACE said for his part he had implored the Government to allow the Railways Act to be considered before the Immigration and Public Works Loan Act; therefore, he was not open to the charge of inconsistency.

The Hon. Mr. SEYMOUR would certainly, on the grounds he had mentioned, support the second reading of the measure, and, with regard to what had fallen from some honorable members as to the lack of information, he could not see that, in the proposal before them, there was any want of information. With regard to the lines which were laid down in the schedules as works which it seemed desirable to undertake, all those in schedules 1 and 2 had already received the sanction of the Parliament in former sessions; they had all been surveyed, the lines laid down, sections and plans completed, and everything done that was necessary, before, he might say, the turning of the sod; and all that information was, he believed, accessible to honorable members if they chose to look about them. With regard to

the North Island railways, although the lines had not yet been surveyed, he thought it would be desirable that the line from Wellington to Napier should be placed in schedule 1. He was not sufficiently acquainted with that part of the country through which the line would pass, to judge whether it would be a success with regard to money returns; but, looking at the great importance of maintaining peace throughout the North Island, and looking, as he did, to the very great step which a line of railway through the heart of the country would accomplish in that direction, he thought that the Government would be wise if they placed those lines in schedule 1.

The Hon. Mr. ROBINSON had made up his mind to vote that the Bill be read that day six months. He was of the same opinion with regard to this Bill as every other Bill connected with the great scheme of the Government—that it was, as had been very properly and appropriately termed by the Hon. the Minister of Justice, sketchy and speculative, and instead of its being, as shadowed forth in the first instance, a colonial scheme, it had become nothing more than a provincial one. Pressure had been brought to bear, and one party had dragged the Government about in one direction, and another in another direction: railways were to be made in one place and none in another. The effect would be that they would have the whole of the money spent, and the scheme would be a failure. The Hon. the Colonial Secretary had, on one or two occasions, stated that pressure had been attempted to be brought to bear upon the Government, but it had been resisted. Now, he hoped the honorable member would excuse him if he differed from him as to the resistance. The schedule of the Bill was a proof that the pressure had not been resisted. It was proposed, he understood, to bring forward something in the shape of an amendment, to the effect that a number of other railways in the North Island should be constructed. If that amendment were passed, and he thought it had a fair chance of being passed, the Government would be very likely to accept it, and he would then wish to know if it would be in the power of the Ministry to say on what particular occasions pressure had been resisted. It was extraordinary what different views people took of their own conduct in matters of that kind. They were all apt to accuse each other of having interested motives. They shut their eyes to the carrying out of this great scheme, and, at the same time, tried to carry out their own views in connection with it. He was very much amused at the tone of the speech of the Hon. Mr. Waterhouse. When railways were not in one's own neighbourhood they were apt to term them useless, but if they passed their own doors then they were looked upon as great colonial lines. With regard to the lines proposed to be constructed in the North Island, it had been attempted to be shown that very great special benefit would be derived from them—that they would end the Native difficulty at once. If that could be clearly proved, it would be very desirable indeed to pro-

ceed with their construction, for it appeared to him that the million of money they were about to borrow would go a great way towards constructing the railways proposed to be introduced in the schedule. He thought they were rushing hastily into this great scheme without having all the necessary plans and specifications before them. He had no hesitation in saying that they had not a single survey upon which they ought to depend, if this was to be a colonial scheme. He did not see how they could have satisfactory surveys unless they were furnished by men employed by the Colonial Government, in whom the country would have confidence. He would vote for the amendment.

The Hon. Mr. HOLMES would support the second reading of this Bill. He thought that sufficient had been said on the subject, and he would only say that he would endeavour to make the Bill all that he desired in Committee. The only clause to which he took exception altogether was clause 9, and he did so because he had no reliable data before him to show that that railway was required, that it would open up the country, or that it was any portion of a main line. Besides, there was one radical objection to it. In 1868 an Act was passed appropriating two millions of acres of land for the making of this line, and, therefore, he thought that it should be excised from the Bill. He considered that honorable members generally had altered their opinions as to fixing the gauge at 3 feet 6 inches in every case except in the railway to the Rakaia. He intended to move amendments to the different sections of the Bill, to the effect that the gauge should not exceed 3 feet 6 inches, with the exception of that one particular case. If honorable members would dispassionately consider the matter, they would come to the conclusion that the Government had acted consistently throughout. It was never calculated that a general system should be entered upon until they had competent engineers and all the necessary information. The Government did not propose, under this Bill, to undertake any railways but those which were actually ready to be commenced by the enterprise of the Provinces. There was another argument in favour of undertaking some works. They had voted a certain amount of money for the introduction of immigrants. What would they do if there were not some works upon which they could be employed? They could not absorb a large number of people without public works, and the fact of those people being engaged upon public works would create a demand for the articles they would consume, so that employment would be given to other branches, such as agricultural and mechanical operations. He felt satisfied that the Council would only be carrying out the idea which was indicated by the different Bills which they had passed, if it authorized the making of these lines. Those who advocated the railways in schedule 3, especially that to the Seventy-Mile Bush, must remember that there were two railways much further advanced, and more ready for taking in hand, than that line, namely, the two

lines in Southland, which were surveyed, and presented no engineering difficulties.

The Hon. Captain FRASER would give the Bill his hearty support, as it was not the intention of the Government to undertake any railway until it had been surveyed, and also because the expenditure was to be provincially charged. He had been much amused at the conduct of some honorable members. One said that they should not proceed with the railways because they had not sufficient information on the subject, while another honorable member quoted largely from an English paper, to show that there was sufficient information before them to warrant them in going on with the Napier railway.

The Hon. Mr. McLEAN would support the second reading of the Bill, because his action would be very unaccountable and inconsistent if he did not do so. He was delighted to hear from the honorable member (Mr. Waterhouse) that he intended to be a good colonist, even though it were to be upon the condition that he got the Wairarapa railway. For his own part, he meant to be a good colonist, as he had been for many years, although he was not interested in any line of railway. Nearly all the lines now under consideration had already been sanctioned, but it was considered desirable that they should be admitted into the general scheme. Some honorable gentlemen had intimated their intention of moving a particular line from the third schedule into the first. He would be perfectly willing to go with that, provided those honorable members would assist him in putting all the lines into schedule 1. He should not follow the example of his honorable friend Colonel Russell, who did not know how he would vote until he had heard other honorable members declare themselves.

The Hon. Mr. GISBORNE.—Sir, my honorable friend Colonel Russell, in his first speech, spoke as if we were proposing the railways in the Middle Island and utterly neglecting the North Island, and that we were not making any provision for employing the Natives on public works. The honorable member forgets the £400,000 appropriated for roads in the North Island, £100,000 of which can be spent in the course of this financial year. I think that will be sufficient to employ the Natives upon roads for opening up the country. I admit that they are not as good as railways, but they are lines of communication into the interior of the country, and are objects upon which we can employ the superabundant energies of the Natives, and which we may use as a means for pacifying the country. Considering the £400,000 to be spent exclusively in the North Island, at the expense of the Colony, for public roads, I do not think that it is too much to allow £400,000, or a little more, to be spent on railways in the Middle Island, and that is the course which we are pursuing by this Bill. With respect to the second speech of the honorable gentleman, I cannot appreciate the consistency which he says he still preserves, and this remark applies to the conduct of other honorable members. The inconsistency is that they voted for the immigration and public works loan, and

are now going to oppose these works. If we are to undertake immigration and not construct railways and other public works, it will be like tying one hand behind our back, because we should be bringing immigrants into the Colony without having public works and railways on which to employ them, and which should be concurrent elements with immigration. The inconsistency shown by the honorable member is this: he has opposed the measure as being extravagant and beyond our resources, and yet intends to vote against the second reading of the Bill. He says when the Bill is in Committee he will add an indefinitely large amount of expenditure, and also propose to give increased powers to the Government to conduct this expenditure. Do honorable gentlemen know what they are doing in proposing to make a railway from Wellington to Napier at once? They will give the Government power to make 350 miles of railway, prescribe the course that railway should run, and enter into contracts for the construction of works which will involve an expenditure of £1,400,000. Therefore, honorable gentlemen who are protesting against the scheme as being extravagant, and as likely to entail financial ruin, say that when we go into Committee they will add £1,400,000 to the expenditure for the next year, and give the General Government almost unlimited power to expend the money on what works we may wish to expend it upon, and in what manner we may desire. Surely that is inconsistent. No doubt there are a few members, perhaps, who are anxious to throw out the Bill, and, not being able to do so on the second reading, who join with honorable members who wish to have the northern line constructed this year, merely for the purpose of putting a clause to that effect in the Bill—a proceeding which might have the effect of throwing out the measure in the other House. That is plainly the object of the honorable gentleman. I do not say that these are unfair parliamentary tactics, but I would warn honorable gentlemen who are anxious to have these lines constructed at once in the Northern Island, of the probable issue of their proceeding. I do not think there are any other observations specially calling for remark. The Hon. Mr. Stokes has stated that he protested against the motion; he wished all to start fair, but that would be synonymous with a general scramble. If a feast is arranged on a table, and if the guests, when introduced, instead of waiting for the ordinary formality, rush pell-mell on the viands, it would be a scramble likely to lead to great confusion. Of course the strongest would get the lion's share, and the weakest would go to the wall. So in the case of this great scheme; and, therefore, in order to avoid a scramble, it is advisable that we should get information respecting the railway, and then authorize the construction on certain definite terms. That, Sir, is the object of this Bill. The Hon. Dr. Grace, who wishes to throw out the Bill as likely to devolve on us too much work, said that if the Bill went into Committee he would urge upon the Government the construction of an additional line of railway to New Plymouth

and Napier. I regret to see that the Hon. Mr. Robinson is not in his place. That honorable gentleman stated that the Government did not resist the pressure which had been brought to bear upon them, and yet, by transposing the schedule, he exposes us to much increased pressure. When I say we resisted the pressure, I mean that we resisted the pressure which was attempted to be brought to bear upon us by honorable members in both Houses, who desired the Government to propose works which they did not think were sufficiently matured. We resisted this pressure on the part of our political supporters, and brought the scheme before the House without such alteration.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	9
Majority for					11

AYES.

Captain Baillie,	Mr. Paterson,
Mr. Bonar,	Mr. Pillans,
Mr. Campbell,	Major Richmond, C.B.,
Mr. Chamberlin,	Colonel Russell,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour,
Mr. Holmes,	Mr. Stokes,
Mr. Johnston,	Mr. Waterhouse,
Mr. Lee,	Mr. Wigley,
Mr. McLean,	Mr. Williamson.

NOES.

Dr. Buchanan,	Mr. Robinson,
Dr. Grace,	Mr. H. R. Russell,
Colonel Kenny,	Mr. J. P. Taylor,
Mr. Nurse,	Colonel Whitmore.
Mr. Pharazyn,	

PAIR.

For,	Against,
Mr. Domett,	Mr. Mantell.

The Bill was read a second time, and considered in Committee.

IN COMMITTEE.

Clause 4.—Conditions to be set forth in contracts for guarantee.

The Hon. Colonel WHITMORE, C.M.G., moved that sub-section 2 be struck out, with a view of substituting the following:—The Governor in Council and the contractor shall agree on a price per mile for the construction of the works, and the Governor shall cause the same to be paid for from time to time as may be agreed to by him, subject to such conditions as to time and periodical inspection of the works in progress as may be necessary.

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	9
Majority for					8

AYES.

Captain Baillie,	Mr. Paterson,
Mr. Chamberlin,	Mr. Pharazyn,
Captain Fraser,	Mr. Pillans,
Mr. Gisborne,	Major Richardson,
Dr. Grace,	Colonel Russell,
Mr. Holmes,	Mr. Sewell,
Mr. Johnston,	Mr. Seymour,
Mr. Lee,	Mr. Stokes.
Mr. McLean,	

NOES.

Mr. Bonar,	Mr. J. P. Taylor,
Dr. Buchanan,	Colonel Whitmore,
Mr. Campbell,	Mr. Wigley,
Mr. Robinson,	Mr. Williamson.
Mr. H. R. Russell,	

PAIR.

For,	Against,
Mr. Domett,	Mr. Mantell.

The amendment was consequently negatived, and the clause as read agreed to.

Clause 6.—Alternative powers to expend moneys from Middle Island railway fund and other moneys authorized to be raised under Loan Act on construction of Dunedin and Clutha railway.

The Hon. Mr. HOLMES moved the addition of the following proviso:—"Provided that the gauge of such railway shall not exceed 3 feet 6 inches between the rails."

Question put, "That the words proposed to be added be so added," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	16

Majority against 5

AYES.

Mr. Bonar,	Mr. Pillans,
Dr. Buchanan,	Major Richardson,
Mr. Holmes,	Mr. Robinson,
Mr. McLean,	Colonel Russell,
Mr. Nurse,	Mr. H. R. Russell.
Mr. Paterson,	

NOES.

Captain Baillie,	Mr. Pharazyn,
Mr. Campbell,	Mr. Sewell,
Mr. Chamberlin,	Mr. Seymour,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. J. P. Taylor,
Dr. Grace,	Colonel Whitmore,
Mr. Johnston,	Mr. Wigley,
Mr. Lee,	Mr. Williamson.

PAIR.

For,	Against,
Mr. Mantell,	Mr. Domett.

The amendment was consequently negatived, and the clause as read agreed to.

Clause 10.—Contractor to be compensated for construction of Nelson and Cobden railway by grants of land; but for twenty-four miles Governor may guarantee 5½ per cent. on £3,000 per mile for thirty-five years.

The Hon. Mr. ROBINSON moved that the last portion of the clause be struck out, with a view to inserting the following words:—"Provided that no such guarantee or contract shall be

entered into by the Governor until the contract for the remainder of the line from Cobden to Foxhill shall have been concluded, and the works connected therewith be in course of construction."

Question put, "That the words proposed to be left out stand part of the clause," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	13

Majority against 3

AYES.

Captain Baillie,	Mr. Lee,
Mr. Bonar,	Major Richardson,
Mr. Chamberlin,	Mr. Sewell,
Captain Fraser,	Mr. Stokes,
Mr. Gisborne,	Mr. Williamson.

NOES.

Dr. Buchanan,	Colonel Russell,
Dr. Grace,	Mr. H. R. Russell,
Mr. Holmes,	Mr. Seymour,
Mr. McLean,	Mr. J. P. Taylor,
Mr. Pharazyn,	Colonel Whitmore,
Mr. Pillans,	Mr. Wigley.
Mr. Robinson,	

PAIR.

For,	Against,
Mr. Domett,	Mr. Mantell.

The amendment was consequently agreed to.

The Hon. Mr. McLEAN proposed the addition of the following new clause:—"That no railway constructed under the authority of this Act, or "The Immigration and Public Works Act, 1870," shall have a greater width between the rails than 3 feet 6 inches, provided always that the railway from Christchurch to the Rakaia River may be constructed on a gauge of 5 feet 3 inches.

Question put, "That the clause be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	6

Majority for 12

AYES.

Captain Baillie,	Mr. Nurse,
Mr. Bonar,	Mr. Pharazyn,
Dr. Buchanan,	Mr. Pillans,
Mr. Campbell,	Major Richardson,
Mr. Chamberlin,	Mr. Robinson,
Dr. Grace,	Colonel Russell,
Mr. Holmes,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Stokes,
Mr. McLean,	Mr. Williamson.

NOES.

Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. J. P. Taylor,
Mr. Lee,	Mr. Wigley.

PAIR.

For,	Against,
Mr. Mantell,	Mr. Domett.

The clause was consequently agreed to.

The Hon. Mr. LEE moved that the following words be added to the clause:—"Also, that part of the Great Northern railway in the Province of Canterbury, between the Addington Station and the town of Rangiora, at a point to be fixed by the Government."

Question put, "That the words proposed to be added be so added," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	17
					—
Majority against	...	...	...	...	11
					—

AYES.

Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. J. P. Taylor,
Mr. Lee,	Mr. Wigley.

NOES.

Captain Baillie,	Mr. Pharazyn,
Mr. Bonar,	Mr. Pillans,
Dr. Buchanan,	Major Richardson,
Mr. Campbell,	Mr. Robinson,
Dr. Grace,	Colonel Russell,
Mr. Holmes,	Mr. H. R. Russell,
Mr. Johnston,	Mr. Stokes,
Mr. McLean,	Mr. Williamson.
Mr. Nurse,	

PAIR.

For,	Against,
Mr. Domett,	Mr. Mantell.

The amendment was consequently negatived.

The Hon. Mr. STOKES moved that the words, "From Wellington to the Seventy-Mile Bush, thence to Napier, and from New Plymouth to Wanganui, and thence to the Wellington and Napier line," be added to schedule 1; also, under the "maximum rate of cost of construction," the words, "Three thousand five hundred pounds sterling per mile."

The Hon. Mr. LEE moved the postponement of the consideration of the amendment.

Question put, "That the amendment be postponed," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	11
					—
Majority for	...	...	...	...	1
					—

AYES.

Mr. Bonar,	Mr. McLean,
Mr. Chamberlin,	Mr. Nurse,
Captain Fraser,	Mr. Pillans,
Mr. Gisborne,	Major Richardson,
Mr. Holmes,	Mr. Sewell,
Mr. Lee,	Mr. Williamson.

NOES.

Captain Baillie,	Colonel Russell,
Dr. Buchanan,	Mr. H. R. Russell,
Dr. Grace,	Mr. Seymour,
Mr. Johnston,	Mr. Stokes,
Mr. Pharazyn,	Mr. J. P. Taylor.
Mr. Robinson,	

PAIR.

For,	Against,
Mr. Domett,	Mr. Mantell.

The consideration of the amendment was accordingly postponed. Progress was reported, and leave given to sit again.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

The Traquair and Stuart Hundreds Bill, with amendments, which were ordered to be considered next sitting day.

The Government Summary Prosecutions Act, with amendments, which were agreed to.

The Mining Companies Limited Liability Bill, the Disqualification Bill, the Qualification of Electors Bill, the Wairau Valley Road Bill, the George Green Land Claims Bill, and the Appropriation Bill, which were read a first time, and the second readings fixed for next sitting day.

That they concurred in the amendments made by the Legislative Council in the Gisborne Land Sales Validation Bill, the Mohaka and Waikare Districts Bill, and the Defence Loan Bill.

BANKRUPTCY BILL.

The Hon. Mr. GISBORNE moved that the amendments made by the House of Representatives in this Bill be agreed to, and said that it had been found that the opposition which was being given to the Bill *in extenso* in the other Chamber was such as would prevent its being passed this session, but there were special provisions with regard to certain estates in Auckland necessary to be made, so that it was now proposed to retain only four clauses of the Bill having reference to that particular class of cases. The trustee in Auckland had been removed, and there was no provision in the law to take away the administration of the estates from him and give it to his successor. The object of the clauses which the Council was asked to agree to was to enable that to be done. Under these circumstances he trusted the Council would not object to accept this for the present session, and the whole subject of the bankruptcy laws would be considered by the Government during the recess, and they would next session bring down one consolidated Bill on the subject generally, based upon the principle on which the Bill passed by the Council was founded.

Amendments agreed to.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

The amendments made by the House of Representatives on the amendments of the Legislative Council in this Bill were agreed to.

The Council adjourned at two o'clock a.m.

HOUSE OF REPRESENTATIVES.

Friday, 9th September, 1870.

Public Petitions Committee—Disqualification Bill—War News from Europe—Privilege—Bay of Islands Settlement Bill—Defence Loan Bill—Immigration and Public Works Loan Bill—Provincial Ordinances Validation Bill—Bankruptcy Bill—Personal Explanations—Customs Duties Collection Bill—Resident Magistrates Evidence Bill—Mohaka and Waikare Districts Bill—Qualification of Electors Bill—Appropriation Bill—Summary Prosecutions Bill—Amendments by the Legislative Council—Traquair and Stuart Hundreds Bill—Standing Orders on Private Bills—Appeals from Provincial Rating Bill—Mining Companies Limited Liability Bill—Wairau Valley Road Bill—George Green Land Claims Bill—County of Westland Bill—Case of Michael Hartnett—Case of W. H. Revell.

The SPEAKER took the chair at half-past two o'clock.

PRAYERS.

PUBLIC PETITIONS COMMITTEE.

Mr. CRACROFT WILSON, C.B., brought up the report of the Public Petitions Committee on the petition of seventy-four inhabitants of the town of Shortland, which was read, and ordered to lie on the table.

DISQUALIFICATION BILL.

The House went into Committee on this Bill.

Mr. CRACROFT WILSON, C.B., moved the following amendment in clause 5 :—

“After the word ‘office’ to insert the words ‘or under or from or by or at the appointment or nomination of the Superintendent of any Province, by virtue of his office, or at or by the nomination or appointment of any officer of any Provincial Government by virtue of his office.’”

Question put, “That the words proposed to be omitted stand part of the question,” upon which a division was called for, with the following result :—

Ayes	...	...	...	...	17
Noes	...	...	...	...	20

Majority against...	...	...	...	3
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AYES.

Mr. Brown,	Mr. Kynnersley,
Mr. Bunny,	Mr. Ludlam,
Mr. Clark,	Sir D. Monro,
Mr. Collins,	Mr. Richmond,
Mr. Curtis,	Mr. Taylor,
Mr. Driver,	Mr. Wells.
Mr. Jollie,	<i>Tellers.</i>
Mr. Kelly,	Mr. Hall,
Captain Kenny,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Baigent,	Mr. Parker,
Mr. Barff,	Mr. Stafford,
Mr. Borlase,	Mr. Studholme,
Mr. Carrington,	Mr. Swan,
Mr. Fox,	Mr. Tancred,
Mr. W. H. Harrison,	Mr. Tareha,
Mr. Haughton,	Mr. Vogel.
Mr. Main,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Dignan,
Mr. McLean,	Mr. Macandrew.
Mr. O'Rorke,	

The amendment was consequently negatived.

Clause 6.—Members of Executive excepted.

Mr. BUNNY moved that the following proviso to the clause be struck out :—

“Provided also that nothing in the last section contained shall render incapable of being summoned to the Legislative Council, or disqualify to sit or vote therein, the person for the time being holding the office of Secretary for Crown Lands, whether he at the same time holds any other offices or places of profit such as are specified in the said last section or not.”

Question put, “That the words proposed to be omitted stand part of the clause,” upon which a division was called for, with the following result :—

Ayes	...	...	...	...	29
Noes	...	...	...	...	13

Majority for	...	...	...	16
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AYES.

Mr. Baigent,	Mr. Ludlam,
Mr. Barff,	Mr. McLean,
Mr. Borlase,	Sir D. Monro,
Mr. Brandon,	Mr. O'Rorke,
Mr. Carrington,	Mr. Parker,
Mr. Collins,	Mr. Russell,
Mr. Curtis,	Mr. Stafford,
Mr. Dignan,	Mr. Tancred,
Mr. Driver,	Mr. Tareha,
Mr. Fox,	Mr. Vogel,
Mr. Hall,	Mr. Wells,
Mr. W. H. Harrison,	Mr. J. C. Wilson, C.B.
Mr. Haughton,	<i>Tellers.</i>
Mr. Jollie,	Mr. Mervyn,
Mr. Kynnersley,	Mr. Studholme.

NOES.

Mr. Brown,	Mr. Richmond,
Mr. Clark,	Mr. Swan,
Mr. Creighton,	Mr. Taylor,
Mr. Kelly,	Mr. W. Wood.
Mr. Macandrew,	<i>Tellers.</i>
Mr. McGillivray,	Mr. Bunny,
Mr. McIndoe,	Mr. Main.

The amendment was consequently negatived.

Mr. CRACROFT WILSON, C.B., moved the following additional clause :—

No person who shall have become bankrupt within the provisions of any law now or hereafter to be in force in New Zealand relating to bankruptcy, or who shall have entered into any arrangement with his creditors or made any composition for payment of his debts under the provisions of any such law or otherwise, shall, unless he shall have paid a dividend or dividends which in the whole amounted to not less than 10s. in the pound, be capable of being summoned to or of holding a seat in the Legislative Council, or of being elected to serve as a member of the House of Representatives, or of sitting or voting as a member either of the said Council or of the said House : Provided always that the foregoing prohibition shall not extend to any case in which the Court from which the bankrupt shall have received his discharge, or the creditors of any person in case of arrangement or composition, shall certify that

his bankruptcy or his failure to pay 10s. in the pound, as the case may be, has arisen from circumstances for which he cannot justly be held responsible."

Mr. TANCRED moved the insertion of the words "after the passing of this Act" after the word "shall" in the fifth line.

Question put, "That the words proposed to be inserted be so inserted," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	28
Majority against					18

AYES.

Mr. Brandon,	Mr. Richmond,
Mr. Clark,	Mr. Studholme.
Mr. Collins,	
Mr. Creighton,	<i>Tellers.</i>
Mr. Kelly,	Mr. Tancred,
Mr. Mervyn,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Baigent,	Mr. McLean,
Mr. Borlase,	Mr. Mete Kingi,
Mr. Brown,	Mr. O'Rorke,
Mr. Bunny,	Mr. Parker,
Mr. Carrington,	Mr. Swan,
Mr. Curtis,	Mr. Tareha,
Mr. Dignan,	Mr. Taylor,
Mr. Driver,	Mr. Vogel,
Mr. Eyes,	Mr. Wells,
Mr. Fox,	Mr. Williamson,
Mr. W. H. Harrison,	Mr. W. Wood.

Tellers.

Mr. Macandrew,	Mr. Houghton,
Mr. Main,	Mr. Stafford.
Mr. McGillivray,	
Mr. McIndoe,	

The amendment was consequently negatived.

Question put, "That clause 9 stand part of the Bill," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	32
Majority against					23

AYES.

Mr. Brandon,	Mr. Richmond,
Mr. Clark,	Mr. Tancred.
Mr. Curtis,	<i>Tellers.</i>
Mr. Kelly,	Mr. Collins,
Mr. Mervyn,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Baigent,	Mr. Mete Kingi,
Mr. Barff,	Mr. O'Rorke,
Mr. Borlase,	Mr. Parker,
Mr. Bradshaw,	Mr. Russell,
Mr. Brown,	Mr. Stafford,
Mr. Carrington,	Mr. Studholme,
Mr. Creighton,	Mr. Swan,
Mr. Dignan,	Mr. Tareha,
Mr. Driver,	Mr. Taylor,
Mr. Edwards,	Mr. Vogel,
Mr. Eyes,	Mr. Wells,
Mr. Fox,	Mr. Williamson,
Mr. W. H. Harrison,	Mr. W. Wood.

Mr. Main,
Mr. McGillivray,
Mr. McIndoe,
Mr. McLean,

Tellers.
Mr. Bunny,
Mr. Houghton.

The clause was accordingly negatived.

The Bill was reported with amendments, which were agreed to.

On the motion that the Bill be read a third time,

Mr. CARLETON moved, as an amendment, "That the Disqualification Act of 1858 ought to be repealed, with a view to bringing in a Bill disqualifying all persons in receipt of public money which any Government may have power to withhold, all contractors with the General Government, and uncertificated bankrupts."

Mr. FOX rose to a point of order. He did not think the amendment was one which could be proposed on the third reading of the Bill. It was not an amendment at all, but an independent resolution, suggesting a different class of legislation.

The SPEAKER said that it was competent for a member to move an amendment to the third reading of a Bill, in the form of a resolution.

Mr. TAYLOR would ask the honorable member for the Bay of Islands to withdraw the amendment, if it was his desire to throw out the Bill.

Mr. CARLETON had no objection to withdraw the amendment if honorable members were of opinion that it would hinder a better amendment. He would ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Mr. TAYLOR moved, as an amendment, that the Bill be read a third time this day six months.

Question put, "That the word 'now' stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	17
Majority for					8

AYES.

Mr. Baigent,	Mr. Parker,
Mr. Bradshaw,	Mr. Richmond,
Mr. Brandon,	Mr. Rolleston,
Mr. Carrington,	Mr. Russell,
Mr. Clark,	Mr. Stafford,
Mr. Collins,	Mr. Tancred,
Mr. Creighton,	Mr. Tareha,
Mr. Curtis,	Mr. Vogel,
Mr. Fox,	Mr. Wells,
Mr. Main,	Mr. W. Wood.
Mr. McLean,	<i>Tellers.</i>
Mr. Mervyn,	Mr. Studholme,
Mr. O'Rorke,	Mr. J. C. Wilson, C.B.

NOES.

Mr. Barff,	Mr. Kelly,
Mr. Brown,	Mr. Ludlam,
Mr. Carleton,	Mr. Macandrew,
Mr. Dignan,	Mr. McIndoe,
Mr. Driver,	Mr. Swan,
Mr. Edwards,	Mr. Williamson.
Mr. Eyes,	<i>Tellers.</i>
Mr. W. H. Harrison,	Mr. Bunny,
Mr. Jollie,	Mr. Taylor.

The amendment was consequently negatived, and the Bill read a third time, and passed.

WAR NEWS FROM EUROPE.

Mr. FOX wished to make a brief statement to the House, with reference to the prorogation of Parliament. Honorable members were aware of the serious character of the news received, during the last few hours, from England. Ministers did not wish to create any apprehension, or any sense of alarm, although they did feel that the crisis in Europe was one of a very grave character, and calculated to have a very serious effect upon the position of the Colony in many respects. The news which had been circulated was only the telegrams; the English mail was at present on the way to Nelson, and the Government had sent the "Luna" to that port, in the hope of intercepting the "Tararua," and bringing the mail to Wellington with the utmost speed. Should the "Tararua" happen to be in Nelson, the mail would be in Wellington early on Saturday morning. The Government felt that it would be its duty not to prorogue Parliament until His Excellency the Governor should have received his despatches, as they might contain very grave and important matter, and the Government might find it necessary to propose fresh measures to the Legislature in consequence of the news received. He was sure that, under such circumstances, honorable members would not object to remain a day or two longer in session.

Mr. STAFFORD thought it would commend itself to the minds of honorable members present, that the course pursued by the Government was the proper one under the circumstances. He would make a further suggestion in reference to the possibility of proposing measures to which the honorable gentleman had alluded, whether, if those measures were of a very important and permanent character, it might not be proper to have a call of the House, to enable absent members to be in their places to give full consideration to those measures.

PRIVILEGE.

The SPEAKER announced that he had received the following message from the Legislative Council:—

The Legislative Council, having considered message No. 60 from the House of Representatives, and the report of the Committee to whom the said message had been referred, are of opinion that no grounds exist for the apprehension entertained by the House of Representatives respecting some irregularity in the transmission of the Traquair and Stuart Hundreds Bill, and that no fictitious Bill has been circulated in the Council. Should any doubt be entertained on that point, it is open to the House of Representatives to adopt the usual constitutional course of proceeding. The Legislative Council are of opinion that such course will be more in accordance with the rules of Parliament, and the privileges of both branches of the Legislature, than to allow individual members of the Council, or its officers, to attend a Select Committee of the House of Representatives

for the purpose of giving evidence on the above subject.

On the motion of Mr. FOX, the message was ordered to be referred to the Select Committee of the House appointed to consider the question.

BAY OF ISLANDS SETTLEMENT BILL.

This Bill was received by message from the Legislative Council, with an amendment, which was ordered to be considered presently.

DEFENCE LOAN BILL.

The amendments of the Legislative Council in this Bill were agreed to.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

Mr. VOGEL moved that the House do accept the amendments of the Legislative Council, with the exception of the amendments in clause 3, in which he proposed to substitute the words "actually raised" for "borrowed," and to add at the end of the amendment, "except for the purpose of paying off short-dated debentures under the Act." Those amendments were in keeping with the amendments of the Legislative Council, limiting the amount of loan to be raised to one million a year; but this amendment was required in order to enable the Government to meet short-dated debentures which might fall due during the currency of the loan.

The amendments of the Legislative Council, with the exception of those in clause 3, were agreed to.

Question proposed, That, in the amendment made by the Legislative Council in clause 3, the words "actually raised" be substituted for the word "borrowed."

Mr. HALL said that the proviso which the honorable member proposed to add was obviously a necessary one. He should be glad if the honorable member would state to the House what he considered the distinction to be, in effect, between the words "borrowed" and "actually raised."

Mr. VOGEL.—The word "borrowed" might mean "contracting to borrow," and it might cause a difficulty in the event of money being borrowed in the last month of any one year. The words "actually raised" declared what the intention of the Legislative Council was. There was an understanding with the mover of the amendments in the other House, and some gentlemen who were following him, to accept those words.

Mr. HALL would ask again whether, under the words which the honorable gentleman proposed to substitute for the words in the amendment of the Legislative Council, it would not be possible for the Government to contract for the sale of the whole four millions of debentures at once.

Mr. VOGEL was not sure that it would be possible to contract for the four millions under the Act as amended by the Legislative Council, but it certainly would be competent for the Government to do so under the alterations proposed. It would not be competent for the Government, under the amendments as made by the Legislative Council, to arrange with the Home Government

for the raising of the four millions in the manner contemplated. The word "borrowed" was an unfortunate one—it might mean "contracting to borrow"—but by using the words "actually raised" the difficulty was obviated.

Mr. RICHMOND understood, then, that it was possible to raise the four millions if it was competent for the Government to raise one million and then pay off the short-dated debentures. Such was clearly not the intention of the Legislative Council, and it was not, to his mind, consistent with the position taken up by the honorable gentleman in his financial statement.

The amendment, that the words "actually raised," be substituted, was agreed to.

On the question, That the following words be added to the amendment, "For the purpose of paying off short-dated debentures under the Act,"

Mr. ROLLESTON thought that was inconsistent with the amendments made by the Legislative Council. In point of fact, there might be two millions raised in one year under this amendment.

Mr. VOGEL supposed that honorable members understood that there was a certain amount raised under short-dated debentures. At some fixed date, those debentures would become due, and they would have to be taken up by a series of long-dated debentures. The proviso made by the other House did not mean that the taking up of the short-dated debentures was held to be part of the expenditure for the current year. That was not what the proposition meant. There might be one million raised within any year, but in that million was not to be included the amount required to take up the short-dated debentures previously raised, and which it would be very advantageous to take up with long-dated debentures.

Amendment agreed to, and the amendments on the amendments of the Legislative Council agreed to.

PROVINCIAL ORDINANCES VALIDATION BILL.

Mr. FOX said that the amendments made by the Legislative Council appeared to be imperfect, and did not validate all the Acts that required to be validated. He therefore had to propose a new clause to meet the difficulty. He would, therefore, move that the House disagree with the amendments of the Legislative Council.

Mr. HALL said that before that question was decided, which was an exceedingly important one, the House should be in possession of the reasons for disagreeing with those amendments, and for substituting the words which the Government proposed to introduce.

Mr. FOX said that the first amendment appeared to be little more than a difference in the wording of the clause. The new clause which it was proposed to introduce was intended to validate two new Acts, which were not included in the Bill as it came down from the Legislative Council.

Mr. HALL thought they were placing this Bill in a somewhat critical position. The addition which the honorable member proposed was en-

tirely new matter, as it was to validate two entirely new Ordinances. Before they did that, he should be glad to know if the honorable member had any ground for believing that that proposed amendment would be accepted by the Legislative Council, because, as he understood the Standing Orders, if they sent back an amendment upon an amendment to the Legislative Council, and it was not accepted, the Bill would drop, and it was doubtful whether, in the event of their disagreeing to the additions made by the House, there would still be time for the two Houses to arrive at an agreement by message or conference. Another point occurred to him, whether the amendment of the honorable member was admissible under the circumstances. He took it that, in making an amendment upon an amendment of the Legislative Council, they were dealing with something that arose out of that amendment. This was not an amendment in that sense, but a pure addition to the Bill, and, therefore, he feared that they might get into some difficulty by adopting the latter part of the proposal which the Premier now made.

The SPEAKER said they might amend an amendment which came from the Legislative Council; and when the Legislative Council disagreed with the amendment of the House of Representatives, the matter might be referred to a conference, or be subject to adjustment between the two Houses. Any amendment which one branch of the Legislature made upon the amendments of another branch, must be, strictly speaking, in the nature of an amendment; they must not import new matter into the question unless it became necessary that this branch of the Legislature, which alone dealt with money questions, should supplement the action of the other branch of the Legislature by doing that which the other Chamber was not competent to do, which was called a consequential amendment. A new clause might be introduced into a Bill in that way; otherwise, when the Bill was in that stage, the Bill having passed both Houses, it was not in order to introduce a new clause.

Mr. BUNNY said that, so far as he understood the amendment of the Legislative Council, it was, that as regarded the Province of Wellington, they were without a District Highway Act at all. It would be very awkward if the Province should be left in that position.

Mr. LUDLAM said the Ordinance which was at present in force would still be law. Those Bills which had been worked for so many years without being questioned might still be continued.

Mr. BUNNY said a case had arisen in Marlborough which showed that the Act of the Wellington Provincial Council was *ultra vires*, and had no force in law. If the Act were left out of the Validation Act, the Provincial Council would have to enforce that which would not be law. It might be better to allow the matter to stand over for further consideration.

Mr. FOX said it was desirable that the Acts which were *ultra vires* should be validated, and the Bill brought into that House and submitted to the Legislative Council simply made

that provision; but the amendment of the Legislative Council would exclude one of the most important Acts of the Province of Wellington, and the Government was bound to endeavour to restore that Act to the schedule. He did not quite understand the meaning of the clause inserted by the Legislative Council, and that was one reason why he disagreed with it. The Wellington members were almost unanimously of opinion that, if the amendment of the Legislative Council were allowed, it would be a great inconvenience to the Province. The matter was too important to be dealt with hastily, and he would, therefore, move the adjournment of the debate until next sitting day.

Motion agreed to, and the debate ordered to be resumed next sitting day.

BANKRUPTCY BILL.

This Bill was considered in Committee, and four clauses adopted, relating to the vesting of estates in the successor of a trustee who had ceased to hold the appointment. All the remaining clauses were omitted. The Bill was reported with amendments, which were agreed to, and the Bill read a third time, and passed.

PERSONAL EXPLANATIONS.

Mr. VOGEL wished to make a personal explanation. In the *Evening Post*, published that evening, he found the following statement:—"By way of paying off Mr. W. H. Harrison, Mr. Vogel read a private letter." It was rather a serious statement to make, that an honorable member had read to the House a private letter sent to him. The letter which he had read was in no sense a private letter. It commenced with the words "Dear Sir;" but he had told the honorable member (Mr. Harrison) that it would be very inconvenient to have such a letter considered as a private letter, and the honorable member replied that he was entitled to treat it as a public letter. It was, therefore, handed over to the law officer, who was preparing a Bill on the subject, and was certainly regarded by him (Mr. Vogel) as not coming within the category of private letters. The honorable member for Westland Boroughs would bear him out in the statement made.

Mr. STAFFORD.—Was the letter entered on the records of the office?

Mr. VOGEL was under the impression that it was sent direct from him to the law officer, and that it had not been recorded. He had told the honorable gentleman that a letter of the kind as a private letter would be entirely useless for the purpose for which it was sent to him, and the honorable member told him not to consider it as a private letter.

Mr. W. H. HARRISON would explain the circumstances under which he had written the letter. During a conversation he had with the Colonial Treasurer, that honorable gentleman told him (Mr. Harrison) that it would be more convenient if he would submit his views to him (the Colonial Treasurer) in writing. He did so, and although he had addressed the letter in terms in

which official letters were not usually couched, he was not unwilling that it should be considered as a public letter, containing suggestions to the Government on certain matters relating to the County of Westland. The honorable gentleman had given him the opportunity of withdrawing the letter and substituting one in its place, but he (Mr. Harrison) said he did not think it was necessary to do that, as he considered the only difficulty was, whether such a letter should appear on record or not. If the honorable gentleman had told him it was his intention to make use of it in the House, he would have asked him, as a personal favour, to allow the letter to be withdrawn. He was free to admit that he did not think the honorable gentleman was guilty of any breach of courtesy in the matter. With regard to a second letter, in which he (Mr. Harrison) had recommended that a certain gentleman should be nominated to the office of Chairman of the County Council of Westland, he must say that was a private letter, and he was sorry the honorable gentleman should have mentioned it, as it might put the gentleman referred to in a false position. The recommendation was made without any consultation with him, and entirely without his knowledge. Having been informed that the Government expressed the opinion that there would be great difficulty in supplying a fit and proper officer to fill the position of Chairman of the County of Westland, he had written the private letter referred to to the Colonial Treasurer. With regard to the letter referred to in the newspaper paragraph, he absolved the honorable gentleman from any breach of courtesy in the matter, but he felt that the honorable gentleman ought not to have referred to the second letter, which was altogether of a private character.

Mr. VOGEL must ask the honorable member to retract that statement, or else he would lay the second letter on the table of the House. The honorable member commenced the letter with the word "Sir," and he was not aware why a letter of that kind should have been written to him as a private letter. It was not marked "Private," and if it was not meant as a public letter, the honorable member should not have written it to him. He was not in the habit of receiving private letters addressed "Sir." With respect to the first letter, the honorable member waited upon him as a deputation, and told him he would embody his views in writing, and when he wrote, the honorable member commenced his letter with the words, "Dear Sir." He (Mr. Vogel) told him he had better take the letter back again, but the honorable member replied that it could be regarded as a public letter. He did regard it as such, otherwise there would have been no use in the honorable member writing it. As to the second letter, it commenced "Sir," and, according to official etiquette, it must be regarded as a public letter. The honorable member had suggested a gentleman for the office of Chairman of the County of Westland, whom he admitted he had not consulted before writing the letter, and that was why he (Mr. Vogel) did not read it to

the House. He would ask the honorable member to withdraw the statement, and admit that it was not a private letter, otherwise he would leave the House to decide by producing the letter. He had told the honorable member, on Wednesday, that he did not regard it as a private letter—that he had never regarded it as such; and he thought the honorable member, in advising the House that it was so, had made a great mistake.

The SPEAKER said the Colonial Treasurer had risen to make a personal explanation with regard to a statement in a newspaper. He had made the explanation, and the matter should now drop. With regard to the practice of complaining of newspaper articles, it was laid down in *May's Parliamentary Practice* that, in the House of Commons, when a member made such a complaint, he should conclude with a motion. If honorable members were to take notice of everything that appeared in the newspapers commenting on their proceedings, the time of the House would be occupied to an indefinite length. He admitted that the present case was one of more than usual delicacy, as it referred to what were said to be private letters, and he had therefore allowed more than usual latitude to the honorable members to offer personal explanations. It was desirable that the matter should now drop.

Mr. VOGEL was not in the habit of taking notice of what appeared in the newspapers, as it would occupy all his time to do so; but this was a matter which he felt it due to himself to refer to. Whatever might be the rules laid down in *May's Parliamentary Practice*, he had only been, on this occasion, following a common practice in the House, of making a personal explanation in reference to what appeared in a newspaper. He would ask the honorable member to retract the assertion that the letter was a private one, or else he (Mr. Vogel) would leave it to the House to decide.

Mr. HALL had a personal explanation to make in reference to an article which had appeared in a newspaper, and he was quite sure the House would accord to him the same indulgence as it had shown to the Colonial Treasurer. He had to quote from a newspaper called the *Daily Southern Cross*, and he did not for a moment think that any member of the House was connected with, or in any way responsible for, the publication of that newspaper; still, he was entitled to maintain his character, which appeared to be implicated by a statement in a newspaper. The article made reference to members of the late Ministry by name, and made reference to himself. It stated, "Lastly, Mr. Hall, the late Postmaster-General, deserves a few words of mention. Of all the ex-Ministry, this gentleman seems to us to take the most uncertain and least definite line." He did not think that was justified, but he would pass it over. The part he wished to refer to was one which imputed to him feelings in reference to his late colleague, the honorable member for Grey and Bell, which were entirely unjustifiable:—

"True that he, in common with his late colleagues, has the grief of defeat, the humiliation of being frequently forced to support the present

Government from simple want of a pretext for opposition: this does not, however, explain the line which Mr. Hall has seen fit to adopt during the session. If we may venture upon a conjecture, we should say that his feelings were not altogether uninfluenced by just a touch of jealousy towards Mr. Richmond."

He thought there was just as great a cause for complaint in reference to the article in the *Daily Southern Cross*, as there was in anything the Colonial Treasurer had just brought before the House. He (Mr. Hall) desired to explain that the statement was entirely unfounded, as nothing but the most cordial feeling had existed between his honorable friend the member for Grey and Bell and himself. He trusted it would always exist, as he had never been influenced by any jealousy towards the honorable member. The article also referred to the honorable member for Timaru, who might wish to make a personal explanation, and if the honorable member for the Hutt (Mr. Fitzherbert) were present, he, too, might wish to make a personal explanation.

CUSTOMS DUTIES COLLECTION BILL.

Mr. VOGEL would ask the House to allow him to move that this order be discharged from the paper. A suggestion was made to him on the previous day, that if the Bill were thrown out it would not be desirable to return the duties already collected, because it would be impossible to make restitution to the consumers, even though the duties were paid back, as the duties had been paid by the merchants, who had sold to the middlemen and retailers, who would get their profit from the consumers. They might return the duty to the merchant, and he might return it to the retailer, but the consumer would not benefit by the return of duties. It was under that impression he had asked for leave to introduce the Bill. He found to-day that when duties were proposed and not carried through, it was usual to simply return the duties to the importers, without reference to the question as to the effect of such return; he found, also, that in the precise terms of the notice put up at the custom house it was stated that if the resolutions were not confirmed the moneys would be returned. Had the matter been in the position he understood it to be, that if the House did not impose the duties the moneys would have to be returned, he should hold that, by the House passing this Bill, it simply did make the duties legally payable, and there would be no moral right to ask for a return of the duties; but when he found posted at the custom house, the words "upon the resolutions not being confirmed," and as it was quite clear the resolutions were not confirmed, he thought it would be better to abandon the Bill.

Mr. MACANDREW was very glad indeed that the Government had decided to adopt the course which it had. He had just received a telegram from the Dunedin Chamber of Commerce, protesting against the proposal contained in the Bill; but, seeing that the Government intended to abandon the Bill, he would not read it.

Mr. CREIGHTON did not rise to oppose the

motion of the Colonial Treasurer. If the House passed the Bill, no refund would be made; but if it did not, the fact would simply be, that the merchants having charged their customers with the increased duties upon goods in stock, they would now be recouped from the public treasury, and have a double profit. Through the action of the Government this session, they found that the whole body of the people of New Zealand had been taxed for three months illegally, and that those taxes were not to be refunded to them, but to the merchants and middlemen—the go-betweens between the Government and the consumers. Now, he thought, in fairness to the consumers, that the Government ought to retain in the treasury the amount of taxes received, and that no refund should be made. He could quite understand that the Chamber of Commerce of Dunedin should protest against the Bill which had been introduced, because that chamber consisted of importers and gentlemen engaged in wholesale business, and they had charged upon their goods in stock, upon which they had not paid the increased duty, and enhanced the price of those goods by the duty supposed to be imposed by the resolutions, and the consumers had paid those duties, and could not be refunded.

Mr. BORLASE said that no doubt large quantities of merchandise had been sold by merchants to their customers before arrival, at a certain price, and upon which the merchants had to pay the newly imposed duty, which, of course, would be a loss to them. It was a guaranteed thing, and understood by the public, that if the tariff were not passed by the House, the duty would be refunded, and he thought the House was bound to see that understanding carried out.

Mr. CREIGHTON wished to say one word in explanation. He meant to say that the goods upon which the duty was charged by the merchants were in bond, except what passed into immediate consumption. How was the Colonial Treasurer to recoup the treasury for the rebates under the resolutions.

Mr. CARLETON had been unable to understand why the Colonial Treasurer had laid the Bill on the table. Whatever inconvenience it entailed, the money must be repaid, and for the one sufficient reason that they had promised it should be repaid. The Colonial Treasurer, in bringing down the tariff resolutions, intimated that they were voting them merely as a matter of form, and that if the House did not think proper to pass the proposals, the money would be returned. The word of a Minister was the word of that House, and the word of that House was sacred. He was quite aware that some unfairness must have taken place, and that those who had bought merchandise under the increased tariff had paid a proportionately increased price, and that, although the money might be refunded to the merchant, it would not be refunded to the consumers. That was one of those very nice points they could not deal with; the fault rested entirely with themselves. They had blindly voted resolutions, and all they had to do now was to keep the pledge they gave.

Mr. W. H. HARRISON thought the honorable member for Newton was labouring under a mistake. The resolutions passed by the House only authorized increased duties. Apart from the question of good faith which was involved in the matter, he thought it would be found to press very unfairly upon the importers, as the chief increase of duty was upon articles which, as a rule, seldom found their way into bond, such as flour, drapery, &c.

Mr. VOGEL thought that after he had stated that he found notices posted up at the custom houses, and that the Government were bound to return the money, it was hardly necessary for the honorable member for Newton to suggest that they should go on with the Bill. He was rather amused at the tone which the honorable member for the Bay of Islands had adopted—that tone which they so often heard in the House, which arose from the impression that he was the guardian of truth in the House, and that truth would suffer very badly if he were not there as its champion. It was his (Mr. Vogel) impression, when he gave notice of his intention to introduce the present Bill, that it was the custom not to refund the duties, but for the Legislature to indemnify the customs authorities by making the duty retrospective whenever it was legalized. There had been no desire on the part of the Government to cause the delay which had occurred between the passing of the resolutions and the throwing out of the Bill; but for the last few days the Government had kept back the Bill, so as to detain, for business generally, those honorable members who desired to get away.

Motion agreed to, and the order of the day for the second reading of the Bill discharged.

RESIDENT MAGISTRATES EVIDENCE BILL.

This Bill was read a third time, and passed.

MOHAKA AND WAIKARE DISTRICTS BILL.

The amendments made by the Legislative Council in this Bill were agreed to.

QUALIFICATION OF ELECTORS BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

APPROPRIATION BILL.

Mr. VOGEL moved the second reading of this Bill.

Mr. RICHMOND.—I wish to say a few words, as this is the last opportunity that will be afforded to address the House upon the general question. The Colonial Treasurer will recollect that, towards the end of the discussion in Committee, I suggested to him that it would be convenient and satisfactory to the Committee if he would restate the available revenue and extraordinary means, according to his latest information, together with the total expenditure voted. The honorable member seemed to consider at the time that I was only joking, and replied that the

House was not disposed to discuss the matter further, and that he declined to make a second financial statement. I could not, however, feel satisfied to go away without ascertaining with precision, as far as the means at my disposal permitted, what we have done during the session in the matter of finance. I was perfectly in earnest in asking the honorable gentleman to give this information. It is possible he was correct in saying that the Committee were tired of the subject. It is a very dry and uninteresting one, but if there were no more than four or five honorable members who were desirous of obtaining the information, it would have been only gracious in the honorable gentleman to afford it. A great deal of trouble would have been saved if he had done so. Greater confidence in the accuracy of the results might have been felt than in those arrived at by a private member; but, as he has not cared to do it, I shall state what I conceive to be the actual sum of the financial operations proposed for the current year. The honorable gentleman has estimated his ordinary revenue for the year at £1,050,500. He informed the House, in his original statement, that there were certain other sums which were available in aid. Those sums looked at the time rather dubious. I would call them shady assets. I was amused, and no doubt so were many other honorable gentlemen, with the curious statement with which that enumeration was accompanied—that “the greatest difficulty in the matter seemed to be what we were to do with the money.” The House will be glad to hear that that difficulty has been overcome during the session. We have discovered what we shall do with this money, and we have found a mode of rendering those shady assets available, namely, by borrowing upon them on behalf of the Provinces which owe them. We then credit our right pocket with the amounts, and put it into our left. The items I refer to are, first, sums due under the Loan Allocation Act from the Provinces in the North Island, which amount to £35,000. For that we have given authority to borrow under the Defence Loan Act. Then there is £15,000 advanced to Wellington for the Wanganui Bridge; then £23,411, Southland debts. In order to make anything like a balance between ways and means and appropriations, I have to add £25,000, which the honorable gentleman referred to as recoverable in some way on behalf of the ordinary revenue. It represents the amounts expended on roads in the North Island, which, being looked upon as reproductive works, are, I conjecture, for it is not so stated, to be charged upon the loan. In addition to this, we have agreed to borrow for the service of the year £180,000 for defence, making a total amount of borrowings for the Provinces or the Colony of £278,411 in aid of current revenue. The total revenue will thus amount to £1,329,911. We have, however, to reduce this amount by £35,599, the deficit on the previous year. The total will thus amount to £1,294,320; that is to say, provided the revenue amounts to £1,051,500, the sum estimated. But when I see, in the last *Gazette*, the return of

customs revenue for the June quarter, I feel that we have not been fairly treated by the Colonial Treasurer, aware as he must, or ought to have been, of the very considerable falling off which had taken place in the receipts for that quarter, as compared with the corresponding period of the previous year. I think he should have made us aware of the fact, and should have made some sort of allowance for it in his estimate. The falling off is no less than £25,000, as compared with the corresponding quarter of the previous year. With a view of forming a correct opinion as to the importance of this deficiency, I have drawn up a table showing the receipts for every quarter of the last three years, from 1867 to date. I find that only in one period was there such a falling off, and that was the wretched period when Auckland was almost on its beam ends, and when, but for the fortunate discovery of gold, a large emigration would have taken place from that Province. What makes it a matter of serious consideration, if not of alarm, is that although this deficit occurs in every part of the Colony, it is most conspicuous in that part to which we ordinarily look as the most stable and satisfactory—I mean Dunedin. There is a falling off there for the quarter of £8,260. The Colonial Treasurer had evidently, when he made his statement, some measures in his mind on the subject of the customs revenue, and excused himself for estimating no advance by observing that we had permitted the manufacture of spirits within the Colony at a rate of excise duty much lower than the import duty. He also hinted that there had been an increase of smuggling and illicit distillation; but when the figures are examined in detail, though there is an indication of this latter fact, yet it does not appear that the legal distillation of spirits in Dunedin has materially affected the revenue as yet. During the quarter there has been a general decline in all branches of the customs, almost as great as on spirits, so that whereas the falling off in spirits of Dunedin was $17\frac{2}{5}$ per cent., the falling off in other items was $14\frac{8}{10}$ per cent. We must, therefore, not flatter ourselves that the falling off is due to the decline in the consumption of spirits alone, or to the progress of home manufacture; it arises from some deeper cause. I do not wish to raise a desponding cry as to what is coming upon us. I do not speak authoritatively upon the question, it is a complicated one; but it is one upon which we ought to have been informed when making appropriations for large schemes, such as we have been engaged upon. There is a corresponding collapse in the amount of imports for the last year, as shown in the statistical tables just circulated. Honorable members can judge as well as I can to what these facts point. I am content to draw attention to them. The total customs receipts at the port of Dunedin for the June quarter were £44,522, as against £52,862 in the corresponding period of the previous year. There can be little doubt, therefore, but that there will be a falling off in the revenue below the amount estimated. If it is likely that there will be a falling off in the customs, it is likely that there

will be a corresponding falling off in other revenue. I shall now state what are the appropriations we have made for the current year, as shown in the schedule to the Appropriation Bill before the House. The general charges upon the estimates are put down at £194,412; permanent, not included in the Bill, £305,603; liabilities of 1869-70, £84,478. I observe what I take for granted was an oversight, namely, that these liabilities are not distinguished as provincial and general. I trust that the honorable member representing the Government may take a note of the fact, in order that it may be explained by the Colonial Treasurer at a future period. To these sums must be added the defence vote upon the loan, definitely appropriated, £112,800; contingent defence, £67,200; and payment to Provinces, £561,375. I here pause to remark upon the extraordinary wisdom that has been displayed by the Legislature during this session in the matter of payments to Provinces. We groaned for many years under a system called the surplus revenue system. It was a system conferred upon us by the Imperial Government in the Constitution Act. After many years, we improved on the plan, in 1867, by bisecting the gross revenue, giving half to the Provinces. By that means we got rid, in some degree, of the vagueness of the former plan. We made it more certain what the shares of the two partners in the transaction were. Now we have gone a step further. We have inverted the original arrangement; we have given the Provinces a settled amount, according to population, leaving ourselves—the Colony—the surplus. The payment to the Provinces for the year is to be £561,375 out of the ordinary revenue of £1,051,500. But if that revenue falls short, whatever deficiency may arise must fall upon the Colony, the amount settled on the Provinces being fixed, not by the revenue received, but by population. That was a piece of wisdom, benevolence, and self-denial not often paralleled by a legislative body. We have thus made £1,325,888 of appropriations as against £1,429,420 of revenue and borrowed money. We have given authority to borrow large sums of money, not only in aid of current revenue but for other purposes; I have not, however, been able to discover any amount appropriated for the payment of interest during the year upon the additional debt. There has been some joking upon this subject; my honorable friend the member for Heathcote and the honorable member for Wairarapa were exchanging sallies upon it the other night. The honorable member for Wairarapa expressed himself of opinion that when the ten millions had been raised and expended we should be in a favourable position for raising more. The honorable member for Heathcote replied, "It is to be hoped we shall, otherwise we shall have no means to pay the interest." It is, however, impossible to believe that the Colonial Treasurer seriously intends to provide for interest out of the very money he is going to borrow. In order to ascertain what interest we may require, I have taken out the amounts we have authorized the Government to borrow, the interest upon which

is chargeable to the Colony. The defence vote is £180,000, but perhaps the whole of the amount for contingent defence may not be raised. We are to have, we are told, "No more Waikaremoana expeditions;" we shall simply have the cost of the Armed Constabulary, as set down in the estimates. I have put down, therefore, as raised for defence purposes, £120,000; for roads in the North Island, £100,000; railways in the South Island, £100,000; telegraphs, £60,000; miscellaneous, £25,000; making a total of £405,000, upon which the Colony will have to pay commission and interest. It will be moderate to put this at £15,000. Adding this amount to the total we have appropriated we have £1,340,888; and the receipts, assuming that the revenue keeps up to its present level, will be, with all our borrowing, £1,294,320. The experience of past years shows us that rapid fluctuations may arise in revenue, and the honorable gentleman may prove to have been justified in estimating the receipts in the way of revenue as he has done, but I think the House shares my doubts upon the subject, and such a finance must be called most unsatisfactory. The following are the liabilities which the House has authorized to be incurred during the current year for purposes called reproductive:—

Railways—	£
Auckland to Tuakau	180,000
Blenheim to Picton	38,000
Dunedin to Clutha	200,000
Canterbury Great Northern	92,000
Canterbury Great Southern	48,000
Timaru to Temuka	67,000
Nelson to Foxhill	72,000
Plant	25,000
Surveys, say	8,000
Roads, North Island	100,000
Waterworks	100,000
Telegraph	60,000
Land purchases	200,000
Immigration... ..	150,000
Total	<u>£1,340,000</u>

This list shows that we are going faster than it was indicated in the financial statement that we were to be led by the Colonial Treasurer. I shall not reiterate the arguments I have used during the session on the speculative character of these proposals. The recent startling news, however, puts a new colour upon them. The Government will judge for themselves what their course should be under these new circumstances, but if it is still possible, I think we should at once retract the course by which we have flouted our trusted representatives in England and the Imperial Government in respect to the guarantee for the one million loan. We have practically refused the guarantee by the form in which we have passed our Immigration and Public Works Loan Act, and I think the House will agree that we ought to retract that action. Difficulties are likely to increase upon us, and, considering the state of the money market in the home country by the

last advices, it will be well that His Excellency should be advised to send down amendments, or a new Bill, even at the eleventh hour, to retract what it must now be admitted has been a foolish step. It appears to me that this is the only thing to do, if it is yet possible to do it at this late hour. Looking back upon our proceedings in a general way, without going into details, I venture to say we have seen a session that will be considered as unprecedented, not only in the annals of this country, but of parliamentary government. I know in history nothing parallel to the policy we have now completed, except what we may find recorded by historians as happening more than once during the decay of the Roman empire, when, upon the murder of an Emperor, the Prætorian guard, lifting up the imperial purple on the point of a spear, offered it for sale by auction to all comers. The Colonial Treasurer has bought the Government of this country—he has bought this House—at auction. The name of the person who, on one occasion, thus bought the Roman empire was Didius Julianus. There was another competitor who had bid high for it—one Sulpicianus—the honorable member for Timaru. Sulpicianus having offered to the Prætorians what was equivalent to £100 per head all round, Didius saw it was a case of emergency, and he came down boldly with an offer of £200 a head. It remains to tell the sequel of the story: Didius Julianus lost the empire and his life within eight months from the time when he had thus purchased the Imperial purple.

Mr. CARLETON.—As it is possible that, for personal reasons, of no interest to any person but myself, I may never again take my place in this House, I consider it due to myself, utterly and entirely, to disassociate myself from the financial scheme brought down by the Government. It is the more necessary that I should do so, seeing that, during the debate in Committee upon the budget, I was shut up in the chair, and therefore not able to take a part; since then it has become still more necessary, for myself at least, because, although disapproving of the scheme, I have not endeavoured to throw any obstacle in the way of it. Then and there, in Committee on the budget, was the question settled. Since then I admit there has been some kicking against the pricks—a pastime in which I am not supposed to join—*Skleron esti pros kentroiis laktizein*. After the bringing up the report from Committee it became too late for opposition; and to mere obstructiveness I have never been a party. Nothing remained for the House to do but to endeavour to make the best of the Government measures after they had been virtually agreed to in the first debate; nevertheless, I must confess I have been somewhat surprised by the attitude of this House throughout. My firm belief is, that there was a majority in this House hostile to the scheme at the first; and I cannot bring myself to believe, notwithstanding the votes, that there is, at the present moment, a majority in this House who are really, in their hearts, in favour of this scheme. I do not pretend to account for it, but I am almost tempted to say, with Mercutio—

O calm, dishonorable, vile submission!
Alla stoccata carries it away.
 Tybalt, thou rat-catcher, wilt thou walk?

It appears to me that the House has been dazed, as it were, by the magnitude of the scheme. It is possible that my own constituents may likewise have been bewildered into approval, though I scarcely think it. If so, indeed, should I offer myself again for election, it is probable they will not return me, but, at all events, I make it a rule never to sail under false colours; and although, from my position in the chair during the debate, it was not in my power to give distinct expression to my opinions on this subject, I now take the last opportunity that will be afforded me of doing so. Sir, in this scheme I can see nothing but ruin staring us in the face. I am not about to use harsh words, although they rise almost unbidden to the lips. The session is about to close, and I desire to part in good humour with all; but I cannot conceal from myself the fact that while we are Alncharizing about millions we are hard pressed for a few pounds in the treasury. I say that we shall yet see our creditors being paid their interest out of their own money as long as it lasts. Even of the present debt, the interest can scarcely be paid out of revenue; how much less, then, shall we be able to pay the interest out of revenue when the debt is more than doubled. I may be shortsighted; my misgiving may arise out of poverty of imagination; but, though I never was given to craning at my leaps, I must confess that the longer I look at this one the less I like it. There is no need for me to go into detailed objections, having already, on the second reading of the Immigration and Public Works Bill, given my reasons at length for believing that the works proposed to be undertaken cannot be reproductive—at least, for many years to come—while we are unable to see from what source the interest upon the borrowed money is to be paid meanwhile. Heavy taxation will have to be imposed, which will fall, not upon posterity alone, but upon ourselves, and that very soon. It is true that the Government scheme is not what it was—that it has been curtailed very much of its goodly dimensions, not only in a small degree by our own efforts in this House, and in a much larger degree by those of honorable members in another place, but mainly by what on one side of the House is called the “concession” of the Colonial Treasurer, but which on the other side of the House is called his “surrender”—I allude to the reductions and alterations proposed by the honorable gentleman at the close of the financial debate. My own opinion is—I may be wrong—that this movement on the part of the Colonial Treasurer was neither a “concession” nor a “surrender.” My firm belief is that he never intended to ask for a loan of such magnitude as that which he originally proposed, but that, in accordance with a practice very well known to Brother Jonathan, he asked for more than he ever intended, or than he ever expected to get—that he brought forward his original scheme with the deliberate intention of making what would

appear to be a concession—thereby saving, so to speak, the pride of the other side of the House, enabling them to retreat with colours flying. I believe that the concession was part of a pre-concerted scheme, devised with a view to take the wind out of the sails of his opponents. I am satisfied that he never intended asking for more than he has since obtained—that he acted in accordance with the well-known aphorism, "*Iniquum petere, ut æquum feras.*" How this jumping from £10,000,000 to £4,000,000—this seeming vacillation of purpose—will affect the temper of the English capitalist, remains to be seen. Those who do not know their own minds must not be surprised if their proposals are treated with suspicion. I believe that the amount asked by the Government is still too large; but a much more serious objection to borrowing occurs to me. I am not at all sure that the honor of the Colony in this transaction is secure. The Government have been hard pressed on several occasions, and very severely, for an explanation of the pledge that has been given, I will not say by those two Commissioners—for they are more than Commissioners—but by two members of the Government who are in England at the present moment—I mean the declaration made by them, when about to effect a certain financial operation, that the Colony intended to borrow no more than the one million. The difficulty is not about the guarantee; I believe that the question of the guarantee has been too much mixed up with this matter, because it has given the Government an opportunity of riding off, of directing attention from the real question at issue to one of minor moment. Even should the Commissioners have obtained the guarantee to the £1,000,000 loan, on the undertaking that the Colony would be content with that million, the point of honor would be got over by not accepting that guarantee. There has been much confusion in the House about that very matter, under cover of which the Government have avoided giving a distinct reply. The real point of honor is not about the guarantee, but about the consolidation of the debentures. In order to effect that operation, the Commissioners pledged themselves that there should be no more borrowing beyond the million. Consolidation to a certain amount, I know not how far, has been effected on the strength of that pledge. But though the Government has been pressed hard about the matter, I have not yet heard one word from them in answer that was quite satisfactory. Sir, the Colonial Treasurer, in his financial statement, used these words, "Let me, before I conclude, implore honorable members not to allow party feelings to interfere with the consideration of the proposals we have made." I have never known proposals more fairly argued throughout in this House. That appeal has been responded to in a manner that, to those accustomed to the practices of former sessions, seems almost marvellous. Fairer usage was never yet accorded to any Government. There never has been a Government which has had power so unrestrained—power such as neither this Government or any other will ever

enjoy again, unless under conditions almost precisely similar—never such an opportunity to make amendments of administration. I wish that a better use had been made of that power, and that, instead of wasting it upon scheming—upon a wild project like this—they had taken the opportunity of introducing what are so much required—real and substantial reforms. This opportunity, I regret to say, has been altogether thrown away. For the first time there has been no party in the House—no opposition. For my own part, I came down with a desire to maintain them in office if I could find it in my conscience to do so. I have, at all events, offered no obstruction; most assuredly I did not come down with the intention of reinstating, if it were possible, the late Government in office, for I have not the slightest wish to oust the honorable member for Rangitikei for the purpose of reinstating the honorable member for Timaru. The honorable member for Timaru is an able man, but far too shifty for me; moreover, I have always been opposed, on principle, to frequent changes of Ministry. No man is more conscious than I am of the great inconvenience, even danger, to the Colony, incurred through those continual changes of Ministry by which we have been beset; and, although I did my utmost to hinder the present Government from coming into office, it does not follow from that that I should endeavour now to oust them. In no part of the session has there been any opposition. The appeal of the Colonial Treasurer has been amply responded to. As to his scheme, I would gladly have supported it if I could, for there are certain points in it which are quite in accordance with my own views. I can see that the effect of it, if carried out, will be utterly to destroy what has hitherto been the very plague-spot of this Colony—the narrow-minded provincial system. I can see that result, notwithstanding that the Government have been throwing scraps—like Cressida, "orts of their love"—to the dog to keep him in good humour, while fitting the rope round his neck to hang him. I would have supported their scheme had I been able to do so honestly, and have refrained from offering fruitless obstruction. I even voted for the second reading of the Immigration and Public Works Bill, although I considered the structure of the Bill to be objectionable. I voted for it because, on the second reading, I could not vote against the principle of the Bill, and I had hoped to see substantial amendments made in Committee. On the third reading there was no division. Still, my conviction is that on this measure the House has gone wrong. I think they should not have dealt with this question in this hasty and overweening manner. I think the House should have remitted the whole question to the tax-payers of the Colony, for it points directly to the imposition of a land tax, of an income tax, or the seizure of the land fund—possibly to all three. Nevertheless, I think it very possible that the scheme may find favour with a majority of the constituencies, when the country shall be appealed to. Those who have nothing will certainly vote for it; also many of

those who have something, but who desire to clear out, taking advantage of a temporary rise in the value of property, consequent upon the sudden influx of money into the country. But the real settlers, those who have linked their fortunes with those of the Colony, will shrink from the double burden sought to be imposed.

Mr. VOGEL.—I am not prepared to have a financial discussion upon the second reading of the Appropriation Bill. The honorable member for Grey and Bell has, throughout the session, on every opportunity, opposed the financial measures of the Government, and he has done so invariably with the same results—tiring the House, and claiming a large place in *Hansard*. For my own part, I arrived at the conclusion the other day—when the honorable member advised that those who come after us should repudiate the obligations entered into by this House—that it was impossible for us to discuss the subject, merely because we could not look upon it from a similar point of view. When the honorable member came to the conclusion, as a means of opposition, or as a proposal in ethics, to recommend that the arrangements entered into by the Colony, in ratification of the legislation of this House, should be repudiated by those who come after us, I concluded that it was very undesirable to enter into any further financial discussion with the honorable member. It is an opinion which I have not hastily formed, that we have in our *Hansard* an institution for prolonging the proceedings of the House. I am quite certain that the session would have come much earlier to a close if honorable members had not persisted, whenever they could secure an audience of only half a dozen members, in addressing the House. The Colonial Treasurer, in taking up all the points that are brought forward before the House by honorable members, must have some limit set to his endurance. My powers of endurance have been very much taxed; and I do not feel myself equal to discussing further details in reference to the policy of the Government during this session. It is sufficient to say that our policy has been supported by enormous majorities in this House, and that the expressions of opinion throughout the country have been more firm and more unanimous than were ever accorded to any previous Ministry. I am not going through the financial statement again to explain to the honorable member such discrepancies as he may have discovered three months after the statement was published. I think that when the financial statement is made next year, the honorable member will find that the statement made at the commencement of this financial year was mainly correct. It has fulfilled the purpose for which financial statements are made—enabling the House to understand the financial policy of the session. It is impossible for me to go fully into the consideration of all the matters about which the honorable member has spoken, when all eyes are turned upon the clock, and there are ominous intimations that the moments are precious. We have brought down the Appropriation Act as the very last Act of the session, which has given

honorable members an opportunity of discussing the financial policy of the Government, and I do not complain that they have done so. Before I brought down the supplementary estimates, I considered whether it was not necessary to make a supplementary financial statement, as has usually been done; but I came to the conclusion that, although several of the amounts specified in the financial statement are not closely correct—although, in the course of time, when we come to compare actual results, we may find some discrepancies, and especially that we may find that some of the amounts realized are not so large as they were estimated, and that the supplementary estimates will increase the expenditure—the difference, upon the whole, is not likely to be so great as to render it necessary for me to do more than I have done to-day—to state that the sum placed at the command of the Government will not be so large as the amount estimated to be available.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

SUMMARY PROSECUTIONS BILL.

This Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

AMENDMENTS BY THE LEGISLATIVE COUNCIL.

The amendments of the Legislative Council in the Nelson College Bill, the Wellington Waste Lands Bill, the Hawke's Bay Crown Lands Sale Bill, the Kaipoi Native Industrial School Grant Bill, and the Bay of Islands Settlement Bill, were agreed to.

GEORGE GREEN LAND CLAIMS BILL.

This Bill was read a third time, and passed.

TRAQUAIR AND STUART HUNDREDS BILL.

Mr. MACANDREW said the amendments made by the Legislative Council in this Bill seemed to him to be altogether foreign to the object of the Bill. He could not accept those amendments in the Bill, and would move that the House do disagree with them.

Motion agreed to.

Mr. MACANDREW moved that Mr. Haughton, Mr. Bradshaw, and the Mover be appointed managers of a conference with the Legislative Council on the subject of the amendments in this Bill.

Motion agreed to.

Mr. MACANDREW subsequently brought up the report of the managers appointed to confer with the Committee of the Legislative Council upon the Traquair and Stuart Hundreds Bill, stating the reasons why they did not agree with the amendments of the Legislative Council.

The House agreed with the Committee in its reasons, which were ordered to be forwarded with a message to the Legislative Council.

STANDING ORDERS ON PRIVATE BILLS.

On the motion of Mr. FOX, the order of the day for the consideration of a message from the Legislative Council, relating to Standing Orders on private Bills, was discharged.

APPEALS FROM PROVINCIAL RATING BILL.

This Bill was further considered in Committee. Progress was reported, and leave given to sit again next sitting day.

MINING COMPANIES LIMITED LIABILITY BILL.

This Bill was considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

WAIRAU VALLEY ROAD BILL.

Mr. EYES, in moving the second reading of this Bill, explained that it was intended as a substitute for the Wairau Valley Roads Reservation Bill, which had been withdrawn, owing to the Speaker considering it in the nature of a private Bill. The object of the present Bill was to take up, survey, and have gazetted, the main road from Marlborough to Nelson, compensation, if necessary, being allowed to the person through whose land the road ran.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

COUNTY OF WESTLAND BILL.

Mr. FOX, in moving for leave to introduce this Bill, said that its object was to extend to the County of Westland the privileges of the ballot, the County of Westland having been omitted in the Representation Bill. Provision was made for this in a clause at the end of the Bill, but that clause was struck out by the Legislative Council. The clause was considered by the Attorney-General not to meet the requirements of the case. The honorable member for Westland South (Mr. Barff) was prepared to move that the amendments of the Legislative Council be not agreed to; but the Government, on further consideration of the matter, had decided on introducing a special Bill.

Leave was granted. The Bill was brought in, read a first and second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

CASE OF MICHAEL HARTNETT.

On the motion of Mr. O'RORKE, the House resolved itself into Committee of the whole, to consider of an address to His Excellency the Governor, requesting him to recommend that a sum not exceeding £20 be granted to Michael Harnett, whose son was killed on the occasion of the escape of the Maori prisoners from the Chatham Islands.

A resolution giving effect to the above having been agreed to, it was reported, read a second time, and passed.

CASE OF W. H. REVELL.

On the motion of Mr. W. H. HARRISON, the House went into Committee to consider of an address to His Excellency, requesting him to recommend that the sum of £50 be granted to Mr. W. H. Revell, as compensation for loss sustained through a prosecution undertaken in his capacity as resident magistrate at Greymouth.

A resolution giving effect to the above having been agreed to, it was reported, read a second time, and passed.

The House adjourned at midnight.

LEGISLATIVE COUNCIL.

Saturday, 10th September, 1870.

Qualification of Electors Bill—County of Westland Bill—Traquair and Stuart Hundreds Bill—Appropriation Bill—Railways Bill—Messages from the House of Representatives—Disqualification Bill—George Green Land Claims Bill—Wairau Valley Road Bill—Mining Companies Limited Liability Bill.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

QUALIFICATION OF ELECTORS BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said that its object was to remove some technical doubts which had arisen in consequence of the "Qualification of Electors Act, 1868," which was only enacted for one year, having expired. It also proposed to discontinue the provision allowing mortgagees and trustees of properties to have votes in respect of such property. The position of miners was also put on a clear footing, and they would have only one vote for one district. It was also proposed to remove doubts as to the qualification of a holder of a miner's right to sit as a member of the House of Representatives.

The Bill was read a second time, and considered in Committee.

IN COMMITTEE.

Clause 9.—Any person qualified to vote as holder of a miner's right or rights or business license or licenses, shall be qualified to be elected and to sit as a member of the House of Representatives for any electoral district in the Colony, and to be elected and sit as a member of the Provincial Council of the Province within which such miner's right or rights or business license or licenses shall have been issued, and for any electoral district within such Province.

The Hon. Mr. MANTELL moved that in the second line the word "not" be inserted between the words "shall" and "be."

Question put, "That the word proposed to be inserted be so inserted," upon which a division was called for with, the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	19
Majority against ...					8

AYES.

Mr. Domett,	Mr. Nurse,
Captain Fraser,	Mr. Paterson,
Mr. Holmes,	Mr. Robinson,
Mr. Lee,	Mr. Stokes,
Mr. Mantell,	Mr. J. P. Taylor.
Mr. McLean,	

NOES.

Captain Baillie,	Mr. Pillans,
Mr. Bonar,	Major Richardson,
Dr. Buchanan,	Colonel Russell,
Mr. Campbell,	Mr. H. R. Russell,
Mr. Chamberlin,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour,
Dr. Grace,	Colonel Whitmore,
Mr. Johnston,	Mr. Wigley,
Colonel Kenny,	Mr. Williamson.
Mr. Pharazyn,	

The amendment was consequently negatived.

The Bill was reported to the House without amendment, read a third time, and passed.

COUNTY OF WESTLAND BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said this was not the same Bill which was laid before the other House, altering the boundaries of the County and making the Chairman of the County Council nominative. The object was merely to bring the County elections within the provisions of the Ballot Act.

The Hon. Mr. BONAR hoped the Council would agree to pass the second reading of the Bill.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

TRAQUAIR AND STUART HUNDREDS

BILL.

On the motion of the Hon. Mr. SEWELL, it was ordered that a message be transmitted to the House of Representatives, requesting them to appoint managers for a free conference with the Legislative Council on the subject of the amendments made by the Council in this Bill, the Hon. Colonel Whitmore, C.M.G., the Hon. Mr. Campbell, and the Hon. Mr. McLean, to be appointed managers on the part of the Council.

The Hon. Colonel WHITMORE, C.M.G., subsequently brought up the report of the managers of the conference on this Bill, which stated that the conference had been unable to come to any agreement.

APPROPRIATION BILL.

This Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

RAILWAYS BILL.

IN COMMITTEE.

The Hon. the CHAIRMAN.—Before proceeding with this Bill, I will give the ruling upon the point which was referred to me on the previous day :—

“It is evident, by clause 54 of the Constitution

Act, that neither the House of Representatives nor the Legislative Council can appropriate any money, unless the Governor shall first have recommended to the House of Representatives to make provision for that specific public service.

“With regard to the removal of the words from schedule 3 to schedule 1, I am of opinion that clause 3 of the Railway Act cannot be considered otherwise than an appropriation, and that the removal of the matter in schedule 3 into schedule 1 is an appropriation, and comes under section 54 of the Constitution Act. I may state that the Attorney-General concurs with me in that opinion.”

On the motion of the Hon. Colonel WHITMORE, C.M.G., progress was reported, in order to take the decision of the Hon. the Speaker on the ruling given by the Hon. the Chairman of Committee.

HOUSE RESUMED.

The Hon. Major RICHMOND, C.B.—Mr. Speaker, the Committee wish your ruling upon the following points: Whether the transfer of schedule 3 of the Railways Bill into schedule 1, with any sum specified, would be an appropriation, and whether the transfer of schedule 3 into schedule 1, without the mention of any specific sum, would be an appropriation.

The Hon. Colonel WHITMORE, C.M.G., said that while they were in Committee on the Railways Bill the Chairman of Committees gave a ruling by which the course which some honorable gentlemen thought proper to take on the previous evening would have been intercepted. That ruling he thought was not based upon constitutional grounds. The ruling entirely contemplated the fact that they were debarred from making appropriations by section 54 of the Constitution Act, and it stated broadly that the course which some honorable members proposed amounted to an appropriation of money. Now, he conceived that section 54 of the Constitution Act did not bear that interpretation, and he would take leave to read a few words from it in explanation of his views. The wording of the clause was as follows :—

“It shall not be lawful for the House of Representatives or the Legislative Council to pass, or for the Governor to assent to, any Bill appropriating to the public service any sum of money from or out of Her Majesty's revenue within New Zealand, unless the Governor, on Her Majesty's behalf, shall first have recommended to the House of Representatives to make provision for the specific public service towards which such money is to be appropriated.”

He did not think that clause contemplated such an appropriation as it was proposed to make in the Bill. If it were an appropriation at all, it was an appropriation simply as regarded borrowed money and as to time of expenditure. The question might have been raised as to whether or not it was their right to specify a sum of money, and, taking the same view as other honorable gentlemen who moved in the matter, he would have been prepared to have transferred the railways in ques-

tion from schedule 3 to schedule 1, without specifying a price for their construction, rather than imperil their motion; but upon the mere ground of whether or not it was an appropriation he thought the case had not been made out in such a manner as to debar them from proceeding as they had proposed. He really could not see how it could be fairly stated that it was an appropriation to move proposed works from schedule 3 to schedule 1, because the difference between schedule 3 and schedule 1 was practically no more than a matter of time. The schedules received the sanction of the Assembly, and the question as to whether one work should be more immediately proceeded with than another was a matter of pure detail. But a very important point was involved in the question just now. It was one which really struck at the root of their constitution, because, if they were unable to make the alteration, which they proposed to do in the Bill, there was no public good to be gained by submitting such a Bill for their approval at all. He therefore submitted to the Council that they should proceed with their proposal, notwithstanding the ruling of the Chairman of Committees.

The Hon. the SPEAKER.—The Chairman of Committees having asked my ruling as to whether the Council can include schedule 3 in schedule 1, I am anxious to hear what any honorable members may wish to urge on the subject before I give my ruling, because it is not in order to debate a point which has been decided on by the Speaker, though his ruling may be brought under the consideration of the House in a formal manner and overruled. I will, therefore, state the case shortly, and then, having heard what honorable members wish to present for my consideration, will give my decision on the point. The Constitution Act of the 30th June, 1852, is our guide on such occasions, where not amended by subsequent Imperial legislation, or by Statute of the General Assembly, acting within its prescribed limits. In section 54 of the Constitution Act of 1852 it is written—

“It shall not be lawful for the House of Representatives, or the Legislative Council, to pass, or for the Governor to assent to, any Bill appropriating to the public service any sum of money from or out of Her Majesty's revenue within New Zealand, unless the Governor, on Her Majesty's behalf, shall first have recommended to the House of Representatives to make provision for the specific public service towards which such money is to be appropriated.”

Referring, then, to the Constitution Act Amendment of the 17th August, 1857, I find it declared in clause 3 that, “It shall be lawful for the said General Assembly of New Zealand, by any Act or Acts, from time to time to alter, suspend, or repeal all or any of the provisions of the said Act, except such as are hereinafter specified,” and amongst those excepted or unalterable clauses is clause 54 of the Act of 1852. It might be supposed that this would be decisive on the question, but great stress appears to be laid upon the powers supposed to be conferred by “The Parliamentary Privileges Act, 1865,” of the General Assembly. On reference to clause 3 of that Act I find as follows:—

“The Legislative Council or House of Representatives of New Zealand respectively, and the Committees and members thereof respectively, shall hold, enjoy, and exercise such and the like privileges, immunities, and powers, as on the first day of January, one thousand eight hundred and sixty-five, were held, enjoyed, and exercised by the Commons House of Parliament of Great Britain and Ireland, and by the Committees and members thereof, so far as the same are not inconsistent with, or repugnant to, such and so many of the sections and provisions of the said Constitution Act as, at the time of coming into operation of this Act, are unrepealed.”

This, then, leaves section 54 of the Constitution Act in full operation, and, it appears to me, prevents the transfer of schedule 3 to schedule 1, which latter appropriates the public money, inasmuch as it authorized the construction of certain railways by guaranteeing a minimum of interest on the expenditure of certain sums for a period not exceeding thirty-five years.

The Hon. Mr. SEWELL said the view which the Hon. the Speaker had stated concurred with his own, and he thought he could scarcely be required to add anything in order to enforce the same conclusion upon the Council. He thought it right, however, that he should state his own opinion on the point—an opinion in which the Attorney-General concurred. With regard to clause 54 of the Constitution Act, which had been referred to, its object was clear. Unless the Legislature had the previous sanction and recommendation of the Crown to appropriate money, the Government could really exercise no control over the finances of the country. If it were open to the House, without such recommendation, to insist on the expenditure of money, it would necessitate an entire revision of the whole system of Government. In the present case, what the Legislature had done was this: they had passed a general Act—the Immigration and Public Works Act—empowering the Governor to construct certain works, and they had passed a Loan Act authorizing the raising of certain sums of money, subject to appropriation by the Legislature. Now the Council was asked to pass an Act which was intended to direct the expenditure and application of that money. It directed that the money authorized to be raised should be applied in certain ways and on certain works, which were enumerated in the first schedule, and allowed the Government to give guarantees, charging the revenue of the Colony with certain annual payments calculated at specific rates. If they transferred the railways from schedule 3 into schedule 1, they would really direct that the revenue should be charged with money with which it would not otherwise be charged. Section 12 of the Bill made distinct provision with respect to the railways enumerated in schedule 3:—“That the Governor should cause inquiries, reports, and surveys to be made, and such acts and proceedings to be done and taken, for enabling him to submit to the General Assembly, during the next session, proposals for the construction of the railways specified in schedule 3.” The

Legislature had authorized certain expenditure in reference to those lines, but it was limited to the expense of preliminary reports and surveys. By destroying schedule 3, they would be entirely altering the services for which the House of Representatives had made provision. He could not doubt that this was a direct appropriation, and the proposed amendment would render it inoperative, by coming under section 54 of the Constitution Act.

The Hon. Mr. STOKES said that if the honorable member's decision were correct, it would not be competent for the Council to make any alteration whatever in this Bill, but they would have to accept it or reject it *in toto*.

The Hon. Colonel RUSSELL could not understand the matter in the same light as his honorable friend Mr. Stokes. He believed that the ruling which had been given was perfectly correct, and, until a message had been sent down by the Governor to the House of Representatives, they could not go further. He proposed to get over the difficulty by giving notice of motion to the effect that Ministers be requested to respectfully beg His Excellency the Governor to recommend the transfer, from schedule 3 to schedule 1 of the Railway Bill, of the line "from Wellington to Seventy-Mile Bush; thence diverging east and west to Napier and to New Plymouth." That appeared to be the only way in which the wishes of the Council could be realized.

The Hon. Mr. ROBINSON said that although he agreed with the ruling of the Hon. the Speaker, he thought that the matter was of such importance that it should be settled at once. He did not know whether the Council was in the same position as the House of Lords, but they seemed to be debating the question as if they were in the position of the House of Commons. It appeared that the House of Commons had the power of asking that the sense of the House be taken, and he should therefore ask, without any disrespect to the Hon. the Speaker, that the sense of the Council be taken upon the point.

The Hon. Mr. DOMETT did not see that there could be any doubt as to the correctness of the Speaker's ruling. The idea of the Hon. Mr. Stokes was founded upon a misconception. Section 54 of the Constitution Act, strictly interpreted, confined the Council's dealing to specific subjects or services already recommended by the Governor to the House of Representatives, and left it free to deal with the amounts to be appropriated to those services. They could not vote money for any service unless the Governor, through the House, had recommended "provision" to be made for such service. Now, schedule 1 specified services—certain railways—for which the Act said provision (by payment of interest) was to be made. Schedule 3 specified railways for which no such provision was to be made by payment of interest or other moneys. Consequently, if the Council moved items from schedule 3 to schedule 1, they would be making money-provision for services they had not been recommended to make provision for, and therefore infringing the Constitution Act. Further, even if the items could have been legally

so transferred—as, when placed in schedule 1, no maximum of interest would be set against them—the effect would be to authorize the Governor to guarantee what interest he pleased.

The Hon. the SPEAKER said that it was only in doubtful cases, in which the voice of parliamentary practice was silent, that the opinion of the Council could be taken. If it were considered to be a mere matter of law which was at issue, it would be his duty to consult the Attorney-General, whose opinion would be final.

The Hon. Colonel KENNY had, up to that day, been under the impression that the Council possessed the power which some honorable gentlemen supposed, and although he would not have been disposed to exercise it, still he had thought that it might have been necessary to do so on some great occasion. He was astonished that such a question should have been raised on the point under discussion, and he thought that it was to be regretted that it had been raised upon a matter of mere local interest. Some honorable members had gone in that direction who held opinions diametrically opposed to its adoption. How could the Hon. Colonel Whitmore justify himself in bringing forward this question, after having used the following words last year, in speaking upon the privileges of the Council:—"He would like very much to hear that the Council was prepared to surrender this privilege, which he did not think it ought to possess and which was not intended to be conferred upon it, to the branch of the Legislature which could more legitimately exercise it." If it had been conferred under a mistake, it ought not to be exercised. For himself, he was now fully convinced that the Council did not possess that power.

The Hon. Mr. GISBORNE said that there was no doubt that the power of the Council to deal with money Bills had been a moot question ever since the establishment of responsible government in the Colony. In the first session, when the question was raised, application was made to the Secretary of State for his opinion on the subject, and the answer was to the effect that the practice which prevailed in England should also prevail here, namely, that the Upper House should deal with money Bills in the same manner as the House of Lords. That was in force until the unfortunate Privileges Act of 1866 was passed, which disturbed the whole usage. That Act provided that the Legislative Council should have the same privileges as the House of Commons, except as restricted by the Constitution Act, and was framed on the model of the Victorian Act. In the Victorian Constitution Act there was an express provision, however, that the Upper House, which was an elective chamber, could not initiate money Bills, although it might reject them. The result here was that the Act gave, apparently, the Council the same powers in respect to money Bills as the House of Representatives, and this had been gradually becoming a fruitful source of discord. It was a pity that initiating or altering an appropriation was not forbidden by the Constitution Act, because

the constitutional principle was that it rested with the representatives of the people to appropriate revenue and impose taxation. Section 54 of the Constitution Act still remained, and could not be repealed by the General Assembly, but only by the Imperial Parliament. The question which was raised on the previous evening was, whether the transfer from schedule 3 to schedule 1 would be appropriation for a specific public service. That clause not only said it should not be lawful for the Council or the House of Representatives to take such a course, but that it should not be lawful for the Governor to assent to any money Bill unless the appropriation had been recommended to the House of Representatives in the first instance. He feared that the question of their dealing with matters of appropriation would have to be settled by an Act of the Legislature. He believed it was gradually leading them into great confusion, and that it would eventually bring them into collision with the other House; in fact, this practice, which had been adopted more and more every session, was now bringing them into collision with an unalterable part of the Constitution Act itself.

The Hon. Colonel WHITMORE, C.M.G., said he thought some honorable members were getting too much into the habit—a habit which he had never himself indulged in—of quoting short passages from the speeches of other honorable members reported in *Hansard*. Nothing was more calculated to lead to ill-feeling between honorable members. It had been imputed to him that he had been influenced by local interest: he must say that that was the first session they had heard those accusations bandied about from side to side. It was exceedingly difficult to separate local from personal interest, but he desired to state that he was not personally interested in this matter. He had said that he wished to form a grand trunk line, that he would be prepared to support the construction of every line which was calculated to lead to the completion of that system, and that he would support no line in either Island that did not do that.

The Hon. Colonel KENNY remarked that what he had said was, that the question of the privileges of the Council had been raised on a minor point which affected local interests. If the honorable and gallant member chose to deny that, well and good.

The Hon. Colonel WHITMORE, C.M.G., said he considered that no question which had ever come before the Council was of one quarter the importance of this particular subject; but he repeated that he was not locally interested. What he said on the question of the privileges of the Council, on the occasion referred to by the Hon. Colonel Kenny, was this:—

“He would like very much to hear that the Council was prepared to surrender this privilege, which he did not think it ought to possess and which was not intended to be conferred upon it, to the branch of the Legislature which could more legitimately exercise it. He did feel, when for so many years they had been endeavouring to make the Council a more valuable part of the

Legislature, and when he remembered the treatment which their unanimous or almost unanimous resolutions and measures on the subject had always met with, that they had some ground for re-opening the question, and that it would not be at all an improper thing to surrender that privilege with respect to money Bills in return for a limitation of the number of members.”

That was also his opinion in 1865, and when the Act was passed, and when he intimated that he would like to exchange that privilege, which he thought inconvenient, for a limitation of their numbers, which he considered essential to maintaining the position of the Council. He said that he would be glad to see this privilege abolished, which might bring them into conflict with the other House, but that they were entitled to get a *quid pro quo*, and he still maintained that opinion; but, though he did say last year that it was inconvenient they should use it, yet, possessing that privilege, he thought that in this extreme case, when it was proposed to borrow an enormous loan, and considering the views which he held in regard to the construction of a main trunk line, he could not see that he had acted inconsistently, and he was sure that honorable members would acquit him of being influenced by any motives other than a desire to proceed consistently.

The Hon. Mr. JOHNSTON said it appeared to him that the honorable and gallant member (Colonel Kenny) in proceeding to lecture the Council, had shown that he did not understand the question under consideration. Had the honorable and gallant gentleman been in his place on the previous evening he would have understood it better. The course which was adopted then, and continued to-day, appeared to him (Mr. Johnston) to be strictly in consonance with the duties and privileges of the Council. Certain honorable members thought it was desirable that various items in schedule 3 should be removed to schedule 1. It was thought by other honorable members that such action would be an appropriation of public money, and the attention of the Chairman of Committees was called to it, but he deferred his ruling until to-day. They had now heard the ruling of the Hon. the Chairman, and subsequently the ruling of the Hon. the Speaker, who pointed out that such transfer would be an appropriation. It appeared to him that, up to this time, the Council had accepted the ruling of the Hon. the Speaker, and in what way the honorable and gallant member could say that there had been an endeavour on the part of the Council to make it a question of privilege he was unable to understand. He could not see that the Council had in any way endeavoured to take upon itself a right which it did not possess.

The Hon. the SPEAKER.—Having listened attentively to the observations which honorable members have made on the point referred to me, I will shortly state the reasons on which my ruling will be grounded. I have already directed attention to the 54th section of the Constitution Act, which plainly shows with whom the initiation of money grants rests, and to which branch of the

Legislature the recommendation to appropriate public moneys for specific services is made. I have also shown, by the 3rd clause of the Constitution Act Amendment Act, that that clause of the Constitution Act of 1852 is unalterable except by Imperial legislation, and that the colonial Statute, intitled the Parliamentary Privileges Act, expressly limits the power of the Legislative Council, as regards such grants, within the Constitution Act. It therefore only remains that I should show what is the opinion of constitutional writers on the subject, and adduce evidence from colonies enjoying similar constitutional governments. Mr. Hearn states: "The Crown makes requisitions to the Commons for the supplies which the public service demands. The Commons grants the supplies, and provides the ways and means for raising them. The Lords assent to these grants and these financial arrangements. The Crown accepts the grants, and assents to the legislation which they involve." De Lolme says, "The Lords are expected simply and solely to accept or reject them," referring to too lavish or improvident grants. By the Constitution Act of New South Wales, 1853, all appropriations of public revenue originate in the Lower Chamber, and it is enacted that it is not lawful for that Chamber to originate or pass any vote, resolution, or Bill, for the appropriation of the consolidated revenue fund, or of any other tax or impost to any purpose which shall not have been first recommended by message of the Governor to the Legislative Assembly." The Constitution Act of Victoria declares that, "All Bills for appropriating any part of the revenue of Victoria, and for imposing any duty, rate, tax, rent, or impost, shall originate in the Assembly—the Lower Chamber—and may be rejected, but not altered, by the Council," and further enacts, as regards the initiation of money grants, almost in the same words as those quoted from the New South Wales Act. The latest Constitution Act is that of Canada, which was passed in 1867, and it expressly declares that "It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address, or Bill, for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to that House by message from the Governor-General." The question of the power of the Legislative Council to alter or amend money Bills, was submitted to the consideration of the home authorities; and Sir George Grey, the Secretary for the Colonies, writing from Downing Street, on the 25th of March, 1855, stated, "The question raised by your despatch is one of great importance in itself, and touches the first principles of English constitutional law. In this country it has been the indisputed practice, as affirmed by a resolution of the House of Commons of the year 1678, that Bills of Supply "ought not to be changed or altered by the House of Lords." It is quite true that the New Zealand Constitution Act contains no provision to the same effect; but it appears to me that the analogy of the English constitution ought to prevail: the reason being

the same when the Upper House is not elected by the people; and in Canada, where the Constitution Act is similar in this respect to that of New Zealand, the Legislative Assembly has hitherto exercised, without dispute, the same privilege in regard to money votes as the British House of Commons. Viewing the point referred to me by the light of express legislation, of the commentaries of writers on the law and usages of the Imperial Parliament, and by the provisions of other colonial constitutions, I have no hesitation in deciding that it is not in order to transfer schedule 3 to schedule 1, and I rule accordingly.

The Bill was then further considered in Committee, and reported with amendments, which were agreed to.

On the question that the Bill be read a third time,

The Hon. Dr. BUCHANAN said that, after careful thought, he considered it to be his duty to move that the Bill be read a third time that day six months. In taking that course, he was well aware that no action of his would have the slightest influence whatever in determining the question. His reason for acting in the way he intended, was simply that he owed it to himself to take that means of entering his protest against the crude and reckless nature of the plans of the Government. When those plans were first shadowed forth, he fondly hoped that they would be opening up a bright future for New Zealand; but, in his opinion, all had been spoiled by precipitation, and by not allowing them time to mature the necessary measures. The numerous conflicting opinions which were expressed, and the numerous amendments which were proposed when the Railway Gauge Bill was under consideration, and, again, the same state of things which had led to the confusion worse confounded which had taken place when the Bill now before them was in Committee, showed that it was undigested and inharmonious, and that it was indeed a bad piece of patchwork, instead of being one well-considered national scheme. He should have thought that, in the face of the news which the English mail had brought, the Government would have withdrawn the Bill, and so have taken time, during the recess, to mature a great national scheme, which should be considered next session, as he understood their plan originally was. He agreed with the honorable and gallant member who remarked, in an earlier part of the debate, that the present state of Europe might be considered a providential interposition, inasmuch as it affected the money market, in preventing the Colony being dragged along in the career in which the Government seemed to be disposed to take it. For those reasons, in the interests of the Colony, in the interests of themselves, their children, and their grandchildren, he moved that the Bill be read a third time that day six months.

The Hon. Colonel WHITMORE, C.M.G., regretted that the Bill had not been held over or withdrawn in consequence of the news which had been received from Europe, because he considered that the attempt to raise a loan would injure the credit of the Colony to a large extent. The

Council had been against him in the course he had taken, and as he had not been able to make the amendments which he had desired, in Committee, he should support the amendment of his honorable friend Dr. Buchanan.

The Hon. Mr. JOHNSTON said that throughout the financial policy of the Government he had given to Ministers all the assistance in his power. He had voted for the second reading of this Bill, but he would like to explain why he should vote against the third reading. When the policy was first submitted to the Legislature, he had considered that it was one which would have the effect of raising the Colony from its depressed state. He had listened attentively to the financial statement when delivered by the Colonial Treasurer, who said provincial claims should be respected. Lest there should be any doubt in the minds of honorable members, he would refer to that particular part of the statement. The words were:—

“We may undervalue local distinctions, but why should the inhabitants of one Province submit to a lengthened period of depression, whilst the means they partly contribute are devoted to consolidating the prosperity of another Province? It is very well to talk about narrow views, but one body of settlers is entitled to just as much consideration as another. If the settlers in any Province understood they were occupying an outlying district which would only be entitled to attention after more favoured districts had been served, we might then deal with this Colony as we would with another; but it is quite otherwise. Each provincial community has been taught to believe itself on a par with its neighbours; and a colonizing scheme, to aid which the credit of the whole Colony was pledged, would be looked upon as a gross injustice if it did not provide for due consideration to every Province. That is why we must pledge ourselves to a large scheme if we wish to do justice to all. Interprovincial barriers will in time be removed; but the removal should be effected through the agency of prosperity, not of adversity.”

Those words are as the words of a statesman, and he hoped that the policy in its reality would be as good as the words with which it was introduced. So far as he could judge, the policy, as carried out up to the present point, and that to which they were asked to give their seal of affirmation, did not in any degree carry out the words of the Colonial Treasurer. To show that, he might ask honorable members what the Bill proposed to do? It apportioned to the Middle Island railways in each of its Provinces, whilst it gave a railway to the North Island, in a place from Auckland to the Waikato, where it was not much required, on account of there being a good road in existence. The inhabitants of Wellington, Taranaki, and Hawke's Bay must recognize that there was no justice done to them. If one part of the Colony more than another had a right to claim railways it was those three Provinces. There was no road between Wanganui and Taranaki, and if one were constructed it would open up one of the richest parts of New

Zealand to purposes of colonization; the same remark applied to the line from Wanganui to Manawatu. The Colonial Secretary had said, “Bear in mind, when criticising what is done for the Middle Island, what that Island has done for the defence of the North Island;” but the inhabitants of the Middle Island only contributed the same amount for that purpose as the inhabitants of the North Island, and they had the advantage of perfect peace and security within the boundaries of their Island. Honorable members from the Middle Island said that those in the North Island did not cultivate nearly to the extent it was done in Otago; but he would reply by saying that it was very difficult to get the plough to march side by side with the sword. The men of the North Island were just as industrious, and as good colonists, as those of the Middle Island; and, if they had the same advantages as the Middle Island, they would produce as much. That, however, could not be the case so long as security was denied to the settlers. That security was to be obtained by the construction of railways. The defence force employed by the Government was about 700 men, a formidable force when acting as a body, but, when divided into parties, too small for efficiency. That was to be remedied by giving facilities of communication by construction of railways; and the result would be, a security and supremacy which had never yet been known in the North Island. The Government said that if they were not going to spend a large sum on railways they were going to spend a large sum on roads; but had there been any plans of such roads submitted? They insisted upon the necessity for plans and specifications for lines of railway, but they totally ignored them in respect to the proposed roads. It was very questionable what advantages those roads would be to the settlers; certainly there was nothing to show they would be a substantial benefit to the Provinces of Wellington, Hawke's Bay, and Taranaki. Seeing, therefore, how wanting the Bill was towards the North Island, and the refusal of Ministers to accept the amendment of the Hon. Mr. Stokes, he would vote against the third reading. It was not agreeable to arrive at that conclusion after voting for the second reading. He had hoped the railway from Taranaki to Napier *via* Wanganui and Wellington would have been removed from schedule 3 to schedule 1, so that its construction might be proceeded with as soon as possible. That, however, was not to be done, and as a colonist he was obliged to recognize that, under the Bill, the work of colonization was being done with partiality, and that the construction of the railways in the Middle Island, however beneficial they might be locally, were not beneficial to the whole Colony. It was over again, “To him that hath shall be given.” One naturally became envious; but he became so when he found that the North Island had not received the consideration which the interests of the Colony deserved. He had endeavoured to show, on a previous occasion, that the figures of the Hon. the Minister of Justice were wrong in respect to the progress

of the Colony from 1860 to 1870, for in 1860 the debt was £8 per head, whereas in 1870 it was £32. The idea of the Minister of Justice was that because the exports had risen from one and a half millions to four millions the Colony must be prosperous; but when it was found that the indebtedness of each individual in the Colony was increased in much greater proportion, that idea was fallacious. The scheme as first submitted to Parliament appeared one to benefit the Colony, and to lift it from its depression; but the several alterations were so Middle Island provincial that its value as a colonial work was gone. The important Provinces of Hawke's Bay, Wellington, and Taranaki were uncared for, whereas no others, if the interests of the Colony were alone considered, more required the advantages arising from railway communication. Holding that opinion, he would take care that his vote should not be given to affirm an opposite idea. He would vote against the third reading of the Bill.

The Hon. Mr. GISBORNE said that, notwithstanding what had fallen from the honorable member, he must claim for the policy of the Government a colonial character; and nothing was more so than that the Provinces should bear the charge of those public works which might be carried out within their boundaries. If the honorable gentleman objected to the Government proceeding with the construction of roads without proper information, much more so ought he to object to the Government entering into a railway scheme without careful deliberation and properly prepared plans. The scheme of the Government did not ignore the claim for the construction of railways in the North Island. The Government merely said that they would not ask the Colony to pledge its credit in respect of railways in the North Island until steps had been taken to ascertain what the liability would be, and until they knew what the course of the lines should be. The reason why the works were to be proceeded with in the Middle Island was because they were works which had already been sanctioned; but when the Government were asked to pledge the credit of the Colony for works in the North Island about which they knew absolutely nothing, the Government, in deference both to the dictates of prudence and to the pledge given to the Assembly, as well as in the absence of proper information, said they were not prepared to assent to any such proposal. It had been recognized that a line of railway should be made between Wellington and New Plymouth, by way of Wairarapa, and the Government would, before next session, take an opportunity of getting such information respecting it as would justify the Assembly in ordering that the work should be proceeded with at once. He did not think the Government were in any way open to the charge that they had ignored the claims of the North Island. He also denied that he had stated that railways were to be constructed in the Middle Island simply because that Island had made special contributions to defence. With respect to the distrust of the Middle Island expressed by some northern members, they should remember that, when the war broke out, the Middle Island members never com-

bined to ignore the liabilities that devolved upon them on account of that war, although they were very seriously affected by it. He trusted that, if this Bill became law, the duty of the Government to the North Island would not be neglected. The Government would proceed at once to obtain information which would justify the Assembly ordering the construction of railway works.

Question put, "That the words proposed to be left out stand part of the question," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	5
Majority for	...	...	...	...	7

AYES.

Captain Baillie,	Mr. Holmes,
Mr. Bonar,	Mr. McLean,
Mr. Chamberlin,	Mr. Paterson,
Mr. Domett,	Major Richmond, C.B.,
Captain Fraser,	Mr. Sewell,
Mr. Gisborne,	Mr. Seymour.

NOES.

Dr. Buchanan,	Mr. H. R. Russell,
Mr. Nurse,	Colonel Whitmore.
Mr. Robinson,	

The amendment was consequently negatived, and the Bill read a third time, and passed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

That they had disagreed with the amendments made by the Council in the Provincial Acts Validation Bill, and requested a conference on the subject.

On the motion of the Hon. Mr. SEWELL, the Hon. Mr. Holmes, the Hon. Mr. Williamson, and the Mover, were appointed managers to conduct the conference on behalf of the Council.

That they had agreed to the amendments made by the Council in the following Bills:—The Nelson College Bill, the Wellington Waste Lands Bill, the Hawke's Bay Crown Lands Sales Bill, the Bay of Islands Settlement Bill, and the Kaipoi Native Industrial School Grant Bill.

That they had agreed to a free conference with the Council on the subject of the amendments made by the Council in the Traquair and Stuart Hundreds Bill, and had appointed three managers to confer with managers appointed by the Council.

DISQUALIFICATION BILL.

The Hon. Mr. GISBORNE, in moving the second reading of this Bill, said its object was to extend the provisions of the Disqualification Act passed in 1858. That Act contained a schedule detailing the departmental officers who were disqualified from sitting in the House of Representatives. The present Bill repealed that Act and made it general. Since the schedule of the old Act had been framed, some departmental officers had been disqualified, and others, who should

also be disqualified, were eligible for seats in the House of Representatives. The Bill also proposed that the disqualification of paid officers should extend to the Legislative Council. Of course, that was a subject which the Council would deal with specially. The Act also provided for the disqualification of paid contractors, which, in consequence of the contemplated large public works, was very necessary. With regard to the disqualification of paid officers of the Government, the reason for it was simply this: in England, and in most colonies possessed of representative institutions, it had been found, in the House of Commons and in the House of Representatives, that if officers of the Government were elected members, notwithstanding that their constituencies might know that they were officers of the Government, when they were elected those officers were, in regard to the action they took in the House, in a very anomalous position, and the House looked upon them with suspicion. The Government was also in a false relation to them. The officers were receiving pay from the Government, and were under the executive control of the Government from day to day, during office hours. They then went into the House, and, if they voted with the Government, independent members, who held no paid office, looked upon their votes with natural suspicion; and if they did not vote with the Government, the Government looked upon them with natural disfavour. Therefore, the officers themselves were in a false position; they felt that, whatever way they voted, there would be a natural disadvantage attached to their votes, as, on a political question, perhaps involving the fate of the Government, no one could expect that, as a general rule, they would vote against the Government and perhaps turn that Government out. The House of Commons, had many years ago, passed resolutions, declaring that the power of the Crown, in consequence of those paid officers having seats in the House, was unduly increasing, and ought to be diminished. After passing those resolutions the House of Commons passed a great many Acts which he need not quote, but the legislation amounted to this: That except responsible Ministers—and those whom he might call responsible under secretaries, because they went in and out of office with the Ministry—and other persons holding political offices, who also went in and out with the Cabinet, all paid officers of the Government were disqualified from holding seats in the House of Commons. There may be some minor exceptions, but that was the general rule. That system had worked very well, he believed, and it had been adopted in the Australian colonies; in fact, he thought that in every English colony possessing representative institutions the practice of the House of Commons in that respect had been adopted except in New Zealand, where it was only partially adopted in 1858. Then, in the Imperial Parliament there was also a provision that paid contractors should not hold seats in the House of Commons. The Government proposed, in the present Bill, to follow that example.

With regard to the paid officers of the Government, of course the object was to prevent the Government exercising undue control over the deliberations of the House. The very fact of an officer of the Government voting in the House of Representatives, *prima facie* bore upon it the presumption that the Government of the day might exercise undue influence over the votes of the House. The object of the Bill, therefore, was to preserve the independence of Parliament, and secure in the minds of members the feeling that the Government of the day could only conduct its business on the merits of that business, and on the impartial decision of the House with respect to the measures which it brought forward. With regard to contractors, also, there was no doubt that contractors who were in the House could unduly exercise influence over the Government, and also that, in many respects, the Government could exercise undue influence over the contractors engaged in large works, having large payments to be made to them, especially when the engineer of the Government could interpose delays in respect to those payments. The Government and the contractors, therefore, would be in a false relation to each other, and it would not be desirable that the contractors should hold seats in the House of Representatives, or even in the Upper House. No question had been more discussed in the House of Representatives than that question of disqualification, and the Bill he now proposed the second reading of had been the result. It was, in some respect, a compromise between parties who held antagonistic views on the subject; every one wished to eliminate any improper influence from the House, but they differed as to the means of doing so. Some honorable gentlemen thought that it would be proper to exclude paid provincial officers, but if that ruling principle to which he had adverted was borne in mind, it would be seen that the question of provincial paid officers holding seats in the House had nothing to do with the question at issue, as those officers were in no way dependant on the General Government. With those remarks he begged to move the second reading of the Bill.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

GEORGE GREEN LAND CLAIMS BILL.

The Hon. Mr. DOMETT, in moving the second reading of this Bill, said that these claims had been before the country for about thirty years, and before the Legislature some four or five years, and petitions had been presented to both Houses, on behalf of George Green, to give him some compensation in respect of his claims. They were adjudicated upon by the Land Claims Commissioner, Mr. Dillon Bell, some years ago, and the result was not satisfactory to Green. The award of Mr. Bell was given in accordance with the principles of the Land Claims Settlement Acts of 1856 and 1858, and, so far, was perfectly unobjectionable; but it appeared that the Bill, which was intended to quash land claims, operated in some

cases rather harshly, and, in respect to Green's claims, Mr. Commissioner Bell expressed an opinion, on several occasions, that he could not get, under the Bill, as much as he really ought to get. Ultimately, it was decided—after three successive resolutions of the House of Representatives, in different sessions, to that effect—that the Secretary for Crown Lands should report upon Green's claim, and he (Mr. Domett) recommended what seemed to be considered would be fair and equitable to Green, independently of the Land Claims Settlement Act. He reported that, as far as any principle of equity and justice was concerned, he could not—considering it was also a principle of equity and justice that the measure should be dealt out to all claimants on the same terms—see how to arrive at any conclusion; but, as it appeared to both Houses that the question should be settled, he cast about to find some means to enable him to decide as to the positive amount to be given. The old deeds, which were drawn up some thirty or forty years ago, were treated lightly by Mr. Dillon Bell, and very properly so, considering the circumstances under which they were framed. With respect to the goods alleged to have been given by Green to the Natives, it was impossible to prove whether they were given or not, but the price set down was absurd. However, anybody who had read the papers could not pretend to doubt that some goods were given by Green, and that some purchases were made. The claims were very large; one block of land, on the west coast of the Province of Otago, amounted, he thought, to forty square miles, while other claims were close to Invercargill. Statements in writing were given to him the other day, by the Superintendent of Otago and by Mr. Gillies, of Auckland, who was formerly concerned in this case with Green, from which it appeared that a considerable sum of money was to have been paid to Green in respect of his claims; the sum stated by himself was £13,000, although the Superintendent of Otago qualified the statement considerably. However, under all circumstances of the case, there seemed to be almost an impossibility of getting at positive data in regard to these claims. He would read a short paragraph from his last report on the subject:—

"There appears, then, to be no data whatever on which to arrive, satisfactorily, at an estimate of the particular amount of land to which, on the general principles of equity or justice—irrespective of the Acts—Mr. Green should be held to be entitled to. I should be totally at a loss to name any such amount did I not find from the *Hansard* that Mr. Bell himself, in his place in the House of Representatives, on the 30th of August, 1869, declared that, 'He had proposed that Mr. Green should have 5,000 acres, but he believed that with that, as with other claims, the longer they were postponed the worse it would be for the country.' I presume Mr. Bell had good and sufficient reasons for arriving at the conclusion expressed in the above extract; and I think that, considering his perfect knowledge of all the circumstances of

the case, and the probability that when he made this statement he had in his mind a general retrospect of all the claims he had previously settled, and a prospect of any that might in consequence be revived, as few inconvenient results will follow from such an amount being given as from any other that could be arrived at."

He did not think he could give the Council any clearer idea of the case than he had given in the remarks he had made. It was very unsatisfactory that the affair should be hanging over the country, and over the lands of the Provinces, and honorable members knew as well as he did that there was a great desire, among those who had to deal with the land in those Provinces, that the claim should be got rid of. He believed it was of much less consequence whether Green got too much or too little than that the claim should be definitively settled. He moved the second reading of the Bill.

The Hon. Dr. BUCHANAN had no hesitation in seconding the motion. He was satisfied, from the impartiality of the honorable member who introduced the Bill, and from his thorough knowledge of the subject, that there would be no difficulty in adopting the Bill. He confessed he knew very little about the question, and he had been guided in his opinion, not only by the views expressed by the honorable member on the subject, but also by a report of the Public Petitions Committee, who inquired into Green's land claim. As that report was very short, he would take leave to read it. It was as follows:—

"Your Committee have the honor to report, with reference to the petition of Mr. George Green, of Dunedin, in the Province of Otago, that it appears to them that it has not been in the power of the claimant to select the lands awarded to him by Mr. Commissioner Bell, in consequence of no such locality as 'Mistaken Bay, south of Milford Haven,' being indicated on the maps, or, so far as appears to your Committee, being known to the settlers. Your Committee therefore recommend that Mr. Green's range of selection be enlarged, so as to render the award practicable. It further appears that, by a decision of Mr. Domett, dated 21st January, 1867, the previous award of Mr. Commissioner Bell was so far amended that Mr. Green was treated as a resident, and received the correspondingly larger grant of land made to residents. Your Committee recommend that the award of 695 acres, made by Mr. Commissioner Bell, be amended in a similar spirit."

The Hon. Captain FRASER had no intention of opposing the second reading of the Bill. He considered the award a perfectly just one, but he wanted to know who was responsible for this very reprehensible Bill. The copy originally placed in his hand bore the name of the Hon. Mr. Domett, but he could not believe that that honorable member was responsible for it.

The Hon. Mr. DOMETT explained that the Bill was sent to him, and he made certain corrections and limitations in it, and it was then forwarded to the Attorney-General.

The Hon. Captain FRASER had reason to

believe that the Bill was drafted by the solicitor of the claimant, and when it was put into his hand at first it certainly appeared to him to have something sinister about it. It was only within the last hour that he was aware that large advances had been made to Green by influential people. His solicitor could not alter the Hon. Mr. Domett's award, but those interested said, "We will draft the Bill so that 5,000 acres of land can be taken up in twenty-five blocks, selected from any part of Otago and Southland, from land which is not open for selection." Under the Bill as it was sent to the other House they could have robbed him (Captain Fraser) of a very valuable property, a coal field, on which had been expended several thousands of pounds, and they could have spotted runs in every direction and selected land worth £5 an acre.

The Hon. Mr. McLEAN explained that there was a provision in the Bill exempting auriferous land.

The Hon. Captain FRASER said coal fields were not exempted. They might have spotted the Hon. Mr. McLean's run, and compelled him to give them £5 an acre. The sting was partly taken out of the Bill in the other House, but it was still objectionable, and he would move, in Committee, an amendment for which he had the Hon. Mr. Domett's sanction, to give Green what was awarded by the Hon. Mr. Domett, and no more—5,000 acres in two blocks, one in Otago, and one in Southland.

The Hon. Mr. DOMETT said what the honorable member had stated was quite true. The honorable member had informed him of his intention to move the amendment he had indicated, and he would not object to it, as he considered it was no more than just.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

WAIRAU VALLEY ROAD BILL.

The Hon. Mr. SEYMOUR, in moving the second reading of this Bill, said its object was to attain the same result as was intended by a Bill entitled the Wairau Valley Roads Reservation Bill, which was sent by the Council to the other branch of the Legislature, where the Speaker took exception to it as being in the form of a private Bill. He had afterwards consulted the Speaker on the subject, and the present Bill had been framed in such a manner as not to be open to that objection. It provided that compensation should be given to the owners of land through which the road was to pass; that the road should be laid out within a limited time; that the case of the owners of the land should be heard before a tribunal; and that the Secretary for Crown Lands should report as to whether compensation should be given, and if so, to what amount. If that course were pursued, and proper compensation awarded, then power could be given to make the roads. There was also a provision in the Bill to enable the Commissioner of Crown Lands to employ surveyors, and to protect them in the laying

out of the land. He moved the second reading of the Bill.

The Hon. Mr. McLEAN asked the honorable member if it was intended by the Bill to effect the same object as the Bill that was passed a few days ago, because, if it did, it was of a totally different character. He regretted that more time was not taken in considering the former Bill, because that Bill was to enable the Superintendent of Marlborough to lay down a road, which they were told by the honorable member he was entitled to do when the land was sold; but he found, in the present Bill, that there were clauses providing for compensation, and if similar provisions were contained in the previous Bill they had done an act of injustice in passing it.

The Hon. Mr. BONAR said the object of the Bill had been correctly explained by the Hon. Mr. Seymour. A road had been in existence before but had been allowed to become obliterated. The object of the Bill was to give compensation, due regard being taken to the fact of the road having been laid out before.

The Hon. Captain BAILLIE said that the owners of the land in question had received twice the quantity of land that had been taken for the road.

The Hon. Mr. SEYMOUR said the honorable member, Mr. McLean, would see, if he turned to the preamble of the Bill, that, when the lands were granted, a certain indefinite right of road was reserved in the grants for the purpose of constructing a road, and, in fact, there was a reservation for ever of 215 acres of land. Subsequently, by the Crown Grants Act, that indefinite right was limited to a period of three years, and, from circumstances which he had explained in moving the second reading of the other Bill, that right was allowed to lapse; and, therefore, it became within the power of the holders of the land to shut up the road which had been in use over twenty years. No injustice would be done to the owners of the land by making the inquiries provided in the Bill, because they had received a much larger quantity of land comprised in the reserve for a road than was now sought to be taken from them.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

MINING COMPANIES LIMITED LIABILITY BILL.

The Hon. Mr. SEWELL, in moving the second reading of this Bill, said it was purely of a technical nature, and was introduced at the instance of a number of persons interested in mining companies. It had received careful revision, not only by the parties promoting it, but also by the Attorney-General. It had been originally introduced in another shape, but it had been altered, and it now came before the Council in a very unobjectionable form. It remedied two or three defects in the present Act. There was a provision made by the Act of 1865, requiring that there should be a publication of the assets and liabilities of companies at certain periods of the

year. That was altered by an Act of the following year, and different periods were prescribed for those publications. Of course, it would be idle to require a double publication—one under each Act—and the proposed Bill repealed that portion of the Act of 1865. There was a provision, which was adopted from the Victorian system, enabling shares on which calls were in arrears to be declared forfeited, and there was a provision to enable managers of companies to be sued in Resident Magistrates' Courts.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

The Council adjourned at ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Saturday, 10th September, 1870.

Flax Industry—Shortland Township—Development of the Resources of the Colony—Traquair and Stuart Hundreds Bill—Privileges—Messages from the Legislative Council—Railways Bill—Provincial Ordinances Validation Bill—Provincial Sheep Ordinances Validation Bill.

The SPEAKER took the chair at two o'clock.

PRAYERS.

FLAX INDUSTRY.

On the motion of Mr. LUDLAM, the House went into Committee to consider the report of the Flax Commission Committee with a view to its adoption.

Mr. LUDLAM moved that the Committee agree with the recommendation contained in the report of the Flax Commission Committee, and, in order to afford an opportunity of considering it fully, he would suggest that the clauses in the report be taken *seriatim*. Therefore, in moving the adoption of No. 1, he wished to state that the Committee had taken into consideration the propositions of the Government to appoint two commissioners, one in England and one in this country. The Committee thought it would be a wiser course to adopt to appoint a Commission here with power to appoint agents in England to co-operate with them and to act upon instructions from the commissioners in New Zealand. It was thought that such a plan would work better than having one Commission in England and another here, which might clash with each other. The object of the Government, he thought, would be best brought about by such a course as that proposed in the report being adopted. He therefore moved the following resolution:—"That a Commission be appointed, consisting of three members resident in New Zealand, such Commission to have power to appoint one or two agents in England to be in correspondence with the Commission, and, generally, to carry out their instructions."

Mr. VOGEL had no desire to oppose the report of the Committee, as it was one which bore evidence of a considerable amount of thought and

careful preparation, but he was strongly of opinion that the recommendations of the Committee were not those which were best calculated to secure the object in view. He was of opinion that there was quite sufficient local competition and local interest felt in the subject to induce people to ascertain how their neighbours were working in the matter. There was constant communication going on between those interested in the production of flax, as far as such communication was desirable, and there were secret processes pursued in some instances, in the cultivation and preparation of the flax, respecting which private individuals were just as likely to obtain information as commissioners. The real object in connection with the subject was to ascertain to what useful purpose the flax could be applied. That was the point upon which they were in total ignorance. They were aware that a great many thousand bales had been sold at home, but they had to trust to newspaper reports and conjecture as to the uses made of it. Some people considered it was suitable for the manufacture of rope, others for the adulteration of similar fibres, while others asserted that a large quantity had been employed in coating electric cables. Now, until they knew the real purposes for which flax could be used, they could not know the best means of dressing it, or whether it was desirable to go to great expense with a view to cultivating the best variety. It appeared to him that the great object which they should have in view was to cause inquiries to be made abroad, and to excite local competition by flax exhibitions, which could be accomplished without the interference of commissioners. The commissioners last year exerted themselves to the utmost, but he was at a loss to know what they had accomplished by their labours; and he did not think that any commissioners whom they might appoint this year would do much more. There was nothing like competition for discovering the various processes employed in the cultivation of flax, and they should content themselves at home by having inquiries made as to the various purposes to which flax might be applied. The Committee suggested the appointment of two agents in England. That would take out of the power of the Government and the House the control over the object for which the money was to be expended. Those gentlemen who were to be the commissioners in New Zealand might appoint correspondents in England—ordinary business men—who, in return for their money, would probably forward a copy of their monthly circulars, which could already be obtained through the ordinary commercial channels without any payment whatever. What they wanted at home was a commissioner of sufficient status to be able to communicate with influential persons, and to give and receive information that would prove useful to both the growers here and the manufacturers of the flax at home. If they appointed a Commission at home, they would have a fair excuse for asking for information from persons who could give them really valuable information, and the Government would have some control over the expenditure of the money, and the responsibility of the appoint-

ment of the Commission. He did not oppose the adoption of the report, but he thought the original proposal of the Government, to institute inquiries at home, and to stimulate competition in New Zealand, would be most desirable. He noticed that the Committee had agreed to the holding of an exhibition, but they did not do what the House was most anxious they should do—they did not suggest anything beyond giving a reward for machinery and flax exhibits; they did not agree upon the regulations or conditions under which the exhibition should be held; they did not say whether the Government should draw them up, or whether they should remain over until next year. The sooner it was known that an exhibition would take place, and also the conditions under which it would be held, the more successful it was likely to prove. It would have been desirable if the Select Committee had suggested the principles upon which the exhibition should be based. That was by far the most important question, from a local point of view, that the House could discuss, and he would rather it had been discussed by the House than that it should be left to the Government. He desired to know whether the House would throw the exhibition open to exhibitors from all parts of the world, and whether prizes should be given for the cultivation and the preparation of the flax, and also for machinery, and how the money was to be divided. He looked upon this question as one in which every honorable member was interested, and he was only expressing his own opinions in no hostile spirit. He admitted that his views were of a much more theoretical nature than those of the honorable member for the Hutt, who possessed a more practical acquaintance with the subject. The suggestions he (Mr. Vogel) had made might be taken for what they were worth.

Mr. MACANDREW did not anticipate any great result from the proposal made by the Committee. For several years they had been offering rewards to persons who could find some means of dissolving the gum without injuring the fibre. That idea was put forth by the honorable member for Heathcote, and the Canterbury Flax Association, which appeared to take great interest in the matter, had approved of the idea. He thought that was the direction in which their efforts should be put forth, and also that of offering a reward which would bring chemical science to bear upon the subject, not only in Europe, but in America and other parts of the world. He would have been glad if the report of the Committee had assumed that shape.

Mr. LUDLAM did not think the object of the Committee was to prevent the appointment of agents at home, who would really occupy the position of a Commission, but they felt that having a Commission here and one in England on the same subject, the two would clash and no good result would be attained. If the Colonial Treasurer would look further down in the report he would find that the object was to ascertain the value of the fibre, what it would be used for, what was likely to be its value, and the demand

for it. The report also touched upon one or two points which were of great value to the people of New Zealand to know, namely, why New Zealand flax was supposed to rot sooner than Manilla and hemp, and why it would not take tar as well as other fibres. Those were matters which could only be ascertained at home. With regard to what had fallen from the honorable member for Clutha, he might say that they had offered rewards in New Zealand for several years, to a considerable extent, for the production of New Zealand flax, and, so far as the effect of the rewards offered was concerned, they were not a bit further forward at the present time. He differed with those who thought that the efforts of the Commission appointed last year had not been attended with any great results. He thought the Commission deserved the thanks of that House for what they had done. They had collected a large amount of information which was of extreme value to those engaged in flax manufacture in this country. Persons so engaged had told him that the information was very valuable. Although, perhaps, no definite results had been shown, he could not agree that the labours of the Commission had been thrown away. It might be that the Commission was too large, and, perhaps, was not based on exactly as prudent principles as it might be. That was the reason why the Committee recommended a smaller Commission, to visit different parts of New Zealand, and who would obtain information from people in England. They had the fact brought out before the Committee that flax was purchased in Auckland to be exported to America. If they wanted any good to result from the action of the Commission, it must be one Commission, and not divided—one here and one in England. It was thought there should be an exhibition, not only of New Zealand fibres, but the known fibres of the world, which were to be obtained in England by the Commission. If the Commission could obtain samples of all the fibres in the market in England, they would be in a position to judge how the New Zealand fibres stood. The Committee did not think it necessary to lay down any definite rules as to the exhibition. There was not sufficient data, and they simply stated that it was advisable to have an exhibition in 1872.

Mr. MCINDOE said if the offering of a prize or bonus for the manufacture of flax had proved a failure, it was because the sphere within which that bonus was made known was a very narrow one indeed; it was not disseminated so much as it might have been, as it was confined to the Colony of New Zealand. He agreed with the honorable member for Clutha, that that would be the most practical method of bringing the native flax into general use. He differed from the report of the Committee, which recommended that the investigations should be conducted at home by means of agents, as, from his own experience in those matters, he knew that agents were not so generally to be relied upon as a special Commission would be. He thought it would be well to adopt the recommendation of the Government, to have a Commission appointed. It was not so

much the manufacture of flax they had to look to, as the adaptability of that manufacture at home, so as to bring the flax into general use. The deficiencies of our manufacture could be detected best at home, and he thought it was at home or in America that the investigations should be more particularly entered into.

Mr. W. H. HARRISON did not think it mattered much whether the inquiry was made by agents or by a Commission, so long as it was made. He did not believe much benefit would result from an inquiry, either by a Commission or agents, in Great Britain. He thought a Commission in the Colony could get all the information which, in his opinion, was likely to be beneficial as an encouragement to flax industry in New Zealand. It was not essential to know to what purpose flax was to be applied at home. He thought the great object would be to have samples of the various fibres which were employed in the different branches of manufactures in New Zealand; they would then see the fibres with which they had to compete. A great deal of advantage might be obtained by sending home samples of flax prepared in the Colony, and also samples of the machines used in the Colony. They might obtain a better class of machinery on more economical terms from the machine makers in England. He thought the value of having an exhibition had been very much over-estimated, although it might stimulate persons to improvement in the preparation of the flax. As a rule, they would find that persons prepared samples specially, and that those samples were not the same as they were in the habit of producing.

Mr. KELLY regretted that the Colonial Treasurer was averse to an inquiry in the Colony, as he felt it would have the best effect in regard to the development of a good class of fibre. What was really wanted was information as to the best mode of preparation. Different kinds of fibre were produced in different parts of the Colony. He had observed on board the "Star of the South" some of the best flax he had seen in the Colony, which came from the Province of Marlborough, and on board the same steamer he had seen very inferior flax from Canterbury, and the comparison was very instructive. What was wanted was, that the people of Canterbury should obtain information from the people of Marlborough as to how they had arrived at such perfection in the preparation of the flax. It would be of the greatest importance to diffuse information as to the best mode of preparing the flax. Although, in the course of time, by competition, the same result would be arrived at, he thought, by the appointment of a Commission to diffuse information, the result would be arrived at in a much shorter space of time. They knew that flax was eminently well suited for ropemaking, and there was a large demand for well-dressed fibre for that purpose. An inquiry in England, as to whether the flax could be applied to other purposes, would be exceedingly useful. They might also learn from the manufacturers the best class of machinery for flax dressing. He would leave the inquiry entirely in the hands of

the Government, but they had not taken an active interest in giving information to the public. So long as that was the case, the next best thing to do was to appoint a Commission. If the Government would diffuse the information required, he thought that would answer all the purposes.

Mr. HALL thought much good would result from offering a large reward in other parts of the world for the best method by which to prepare the New Zealand flax. The matter had been considered by the Canterbury Flax Association, who had been working hard to improve flax manufacture. They had passed a resolution to offer a reward for the separation of the gum from the New Zealand flax. Great time would be lost by leaving it to private individuals to obtain information, as they were so much scattered in this country, and the only way that information could be properly obtained was by the appointment of persons for the purpose, whether they were commissioners or officers of the Government. The persons engaged should be in constant communication with the persons at home; there should be some harmony in their operations, and, so long as that was secured, he did not care how they were appointed, or what they were called.

Resolution agreed to.

2. That the duty of the Commission shall be—(1.) To visit the chief districts in the Colony where flax fibre is prepared. To institute or to assist mechanical experiments on New Zealand flax, with a view to cheapen the cost of manufacture, and to improve the quality of the fibre produced. To collect samples of all kinds of fibre produced in quantity, and by processes not precluded, by their expense, from being generally adopted. And to carefully collate full particulars as to the variety of the plant from which the fibre has been prepared, and the process of dressing, including Maori-dressed flax. (2.) To send a portion of the samples so collected to the agents before mentioned, with a view to their obtaining, from the best authorities, a report on the microscopic structure and chemical composition of the New Zealand flax leaf and fibre, as compared with Irish flax, Russian and Manilla hemp. (3.) To ascertain, if possible, the reason why Manilla hemp made into rope resists the action of sea water better than the *Phormium Tenax*. (4.) The relative capacity of the New Zealand flax fibre and Russian hemp to absorb tar. Agreed to.

3. That the agents shall act under the instructions of the Commission, not only with regard to the above named points, but shall also ascertain—(1.) The market value of the fibre, and the reason for the different prices obtained. (2.) To place in the hands of the manufacturers supplies of the various kinds of flax fibre, with the view of ascertaining, by practical tests, to what purposes it can be profitably applied. (3.) To procure samples, say two or three hundred-weight each, of the various fibres that compete in the English market with the *Phormium Tenax*, namely, Russian, Manilla, and Italian hemp, jute, and Irish flax, so as to afford information to New Zealand flax-dressers as to the quality of fibre which it is desirable should be produced by them.

(4.) To submit to makers of flax machines in the mother country samples of our prepared flax, and invite suggestions as to the improvements of the machines usually employed in the Colony. (5.) Generally, to ascertain what can be done to extend the use and increase the market value of the flax fibre. Agreed to.

4. That properly qualified officers, if possible in connection with the customs, should be appointed at each port, who, on application by shippers, should sample the various bales, and place an official brand thereon, showing its quality as compared with standard samples issued to them by the Commission, such classification to be similar to the manner in which foreign-grown hemp or flax is classified, namely, first, second, and third qualities.

Mr. W. H. HARRISON believed a great deal of loss to the producers of the fibre had resulted, not so much from the fall or fluctuation in the market, but from the careless manner in which the different fibres were packed. He had seen, in Canterbury and Wellington, bales in which three different kinds of fibres were packed. It was very desirable to adopt the fourth resolution. In Russia and other countries distinctive marks were adopted by the trade, and the Government stamped the bales to distinguish the quality of the article. In Egypt, where there was a large amount of flax grown, its supervision was in the hands of the Government. So, likewise, in Belgium; the Government took the utmost care that the market value of the fibre should not be deteriorated by a mixture of qualities. In England nothing of the kind was done, and the value of the article was determined by the trade and ordinary competition.

Mr. McINDOE did not think that any good would result from appointing an official classifier. He thought the flax would find its level in the market if it were classed as wool was classed. It would be impossible for an officer of the customs to make such an examination as to enable him to put a proper value upon it. The matter might very safely be left to the merchants, who would be careful to fix the price according to the value of the article. He had seen the price of flax in Dunedin range from £15 to £40 a ton, according to the quality of the article. It would be better to leave the flax to find its value in the market; the merchants who dealt in the article were the proper parties to regulate that matter.

Mr. CRACROFT WILSON, C.B., said that the proposal to have a custom house officer to examine articles of export and to put a stamp upon them was not altogether new. At one time it was found that so much filth was put into the bales of cotton sent from India to China that the Government found it necessary to interfere by legislation, and heavy penalties were put on persons who were convicted of putting filth in the bales. The result of this practice had been so detrimental to the value of cotton in central India that the article was almost valueless in the markets of China.

Mr. HALL said the honest dealer who put his name on the article he sold would reap the

advantage of it. Persons who dressed their flax badly injured not only themselves but the whole trade; something should be done to discourage them from so doing.

Mr. LUDLAM thought that if it were found possible to carry out the plan, everybody would try to raise their produce up to the standard of No. 1. Nothing was more detrimental to the trade, either in flax or wool, than the mixing of all sorts in one bale. It was a well-known fact that when wool was mixed in a bale the whole was sold at the lowest price. The manufacturers used only the sorts that were suitable for their particular purposes, and resold the rest; and the same would be done with flax. In New South Wales, at one time, they used to pack sheep's heads in the bales of wool; but no bales were ever sold now except with the sample, and the whole of the wool in the bale must correspond with the sample. They ought to endeavour to induce people to get up the flax in the highest state of perfection.

Resolution agreed to.

5. That until we can fix a standard of what constitutes good New Zealand flax fibre, it would not be advisable to have an exhibition next year, or offer £500 in prizes. If any money be spent, it should be applied for ascertaining the best varieties of flax plant which it is desirable to cultivate, and for encouraging the manufacture of ropes, woolpacks, and baggage. With this view rewards are recommended to be given to any person or persons who shall manufacture, within the Colony, 20,000 cornsacks, or 5,000 wool, or 20,000 gunny bags.

Mr. W. H. HARRISON thought 20,000 were too many, and suggested that the number should be reduced to 10,000.

Mr. HALL said that unless they required a considerable number to be manufactured they might have them made by an expensive process. They wanted to reward some person who could establish a manufacture of these things, or who could arrive at some process by which they could be manufactured at a price which would enable them to supply the demand in the Colony.

Resolution agreed to.

6. That there should be an exhibition in 1872, and prizes given, not only as proposed in the Government resolutions, but also for machinery. Agreed to.

7. That collections of flax plants of the best varieties be made and information obtained as to the uses to which these varieties are severally applied by the Natives; also, the nature of the soil on which they are found to grow naturally. That such varieties be planted in some suitable locality, in order that the various sorts of flax from different parts of the Colony should be classed under particular heads, and information thereon supplied to all persons interested in flax cultivation. The following points should be specially attended to:—(1.) So soon as each variety has been classed, it should be dressed, with a view of deciding which variety produces the best quality or the largest quantity of fibre for manufacturing purposes, or both. (2.) It should

be ascertained, by actual experiment, the age at which the leaves should be cut, and the best time of year for doing so; also, the best mode of cutting the leaves, and the time required for the new leaves to arrive at maturity. (3.) Seeds should be collected of the different varieties of flax, for the purpose of raising plants for distribution throughout the Colony, and as far as possible for determining whether the plants raised from seed show any marked difference from the original plants.

Mr. LUDLAM said that resolution and the sub-sections were drawn up by the Committee with the view of encouraging the cultivation of the flax plant. The Committee had drawn them up simply with the view of pointing out to the Commission the necessity of attention being paid to the cultivation of particular sorts of flax. The kinds of flax grown in various localities were of a very different character, and the public wanted information with respect to them. If the flax trade turned out to be a success, as many people hoped it would, the cultivation of flax would become a very important question; and it was desirable, before they arrived at that point, that the experiment should be made. It was only by the Government that experiments of so extensive a character could be conducted so as to insure a proper classification of the various kinds of flax. A private individual could not do it. The expense of the testing experiment, extending over a period of five years, would not be very great, but the value of the information that would be obtained would amply repay the Colony for any outlay that might be incurred. With regard to the cultivation of the plant, people without special knowledge on the subject would be very likely to go to the nearest flax swamp for plants, without regard to the variety, and they would thus, for want of information, propagate what might turn out to be a very useless kind.

Mr. McLEAN said that very much depended upon the season of the year at which the flax was cut. The reward should be offered to any person who should grow the best acre of flax. They would then soon arrive at a knowledge of which were the best varieties, the best soils, and the best modes of cultivation. He thought these rewards should be extended to all classes—to Europeans and also to Natives. He believed that many farmers in the North Island would be induced to cultivate an acre or two of flax, in addition to their other cultivations, if encouragement were given them to do so.

Resolution agreed to.

8. That, for the purposes of conducting the above investigation, a sum of £1,000 should be placed by the Government at the disposal of the Commission. Agreed to.

9. Though it would not be advisable to have an exhibition for prizes in 1871, it is desirable that samples of all varieties of flax fibre prepared in the Colony, and in England, should be exhibited in Wellington during the next sitting of the Assembly, and information furnished as to the results of all experiments made up to that time.

Mr. HALL said this resolution did not express

exactly what the Committee wished. The flax fibre referred to was the New Zealand fibre. It might be supposed that that applied also to flax fibre prepared in England. He thought that what the Committee meant was, that they should have the flax fibre prepared in the Colony, and ascertain the purposes to which it could be best applied in England. He moved the omission of the words "and in England," and the addition of the words "of the different varieties of fibre prepared and used in England."

Amendment agreed to, and resolution as amended agreed to.

10. The Committee would suggest that the Government should request Dr. Hector to co-operate with the Commission in carrying out the above recommendations.

Mr. LUDLAM said that the Committee were of opinion that the Government should request Dr. Hector to give his valuable assistance to the Commission in carrying out these experiments.

Mr. McLEAN was sure that Dr. Hector would be very glad to assist the Commission. The Government had no objection to offer to the resolution. This was one of those industries that the Government took a great interest in.

Sir D. MONRO said that wool-packs, made out of New Zealand flax, were manufactured in Nelson twenty years ago. For several years he sent home his wool in packs made out of New Zealand flax. The texture of the packs was somewhat open, but they were strong, and answered the purpose very well. They were manufactured with very rude appliances by some men who had come from the North of Ireland at a time when the remuneration for labour was not very high. Notwithstanding the rudeness of their appliances the manufacture was perfectly successful, and was a stand-by for a considerable portion of the population at that time.

Resolution agreed to.

The resolutions were reported to the House, read a second time, and agreed to.

SHORTLAND TOWNSHIP.

Mr. SWAN, in bringing forward the motion standing in his name, said his object in putting the notice on the paper was, not that there was any particular reason why those documents should be printed, but because during the session he had been in correspondence with the Government about Shortland township proper, and they had not given him a definite answer. He would like, before the end of the session, to have the opinion of the Government recorded upon the subject. The Government, at the commencement of the gold fields, were, *bonâ fide*, the landlords of the storekeepers, and Mr. James Mackay, junior, who acted as the agent of the Government, was allowed to enter into business on his own account; but now the inhabitants were handed over to be dealt with by the Maoris, and the original conditions under which the parties held their leases were not kept. With respect to the second portion of the resolution, which referred to the petition which he presented the other day, he might say that petition was entirely of a different character. If

the documents asked for in the first portion of the resolution could not be printed, he should still like the petition to be printed.

Mr. WILLIAMSON seconded the motion. He believed the Government would have no objection to accede to the request of the honorable member. He had received a letter from Shortland the other day from one of the leaseholders, which stated that the inhabitants were quite satisfied with the arrangements that have been made there.

Motion made, and question proposed, "That the memorial to the Governor on the subject of the leases of the township of Shortland, from the inhabitants of the township, together with all correspondence, be printed. Also, that the petition of seventy-three residents on that portion of the township of Shortland, called Waitangerua block, No. 27, presented to the House yesterday, be printed."—(*Mr. Swan.*)

Mr. McLEAN said that it was the desire of the Government, so far as equity and good faith went, to meet the views of the leaseholders in the spirit of the engagements that were entered into; at the same time, it must be observed that there was, on the part of these leaseholders, in certain instances, as appeared from the representations they have made, a desire to depart considerably from their first engagement. Complications had arisen in some matters from the mixed nature of the duties which devolved upon Mr. Mackay, who, he understood, had been dealing with these leases privately on his own account. The Government had been involved, more or less, in the matter with which he was connected, from the fact that he was acting as Government agent at the time. He had no objection to the petition being printed, and the correspondence also, but as the correspondence extended over a considerable time, it would involve a good deal of expense in printing. The Government must, therefore, use a certain amount of discretion in selecting what was to be printed and what was not, because a great deal of the matter that was required to be printed was not of sufficient interest to the community at large to justify its being printed. So far as the responsibility of the Government in the matter went, they would take care to make such arrangements between the Natives and the leaseholders as might be equitable to all the parties concerned. The commissioner now acting at the Thames had received instructions as to what he was to do in the matter, and he (Mr. McLean) had no doubt that the information which had been received by the honorable member for Auckland City West was perfectly correct. It appeared that some of the leaseholders wished to depart from their first arrangement, the bargains being now not so good as they were at the time they entered into those leases. He believed that the Natives were, on their part, perfectly willing to carry out the arrangements entered into at first, but the leaseholders complained that they were not sufficiently stringent.

Mr. CRACROFT WILSON, C.B., thought that, if the petition were printed, the report of the Public Petitions Committee should be printed with it. He would suggest to the honorable

member that he should put that in his resolution, by leave of the House. He did not think, from what he gathered from the statement of the honorable member for Franklin, that the petitioners wished to deviate from their original agreements. Their position seemed to be imperilled by the fact that their land had passed through the Native Lands Court, and that the lands of those Natives in whose favour the certificates for Crown grants were issued were leased to Mr. Mackay himself, and they were re-leased to another person, who recouped himself out of the rentals for the £1,000 which he had paid for the lease. To save himself he was bound to rack-rent the petitioners. He (Mr. Wilson) had tried to obtain copies of any engagement entered into between Mr. Mackay and those petitioners, in the first instance, but there was nothing of the kind in the office in Wellington. The Committee recommended that, during the recess, the Government should try to settle the difficulties, as they were, to some extent, involved in the matter through their agent, Mr. Mackay.

Mr. RICHMOND said that the Defence Minister had stated that Mr. Mackay was acting at one time as private agent and as agent for the Government. In reply to that statement he might mention that, at the opening of the gold fields, Mr. Mackay was acting as agent for the Natives, with a view to making arrangements for the Shortland township, and that arrangement was brought to a conclusion at an early date. It was not until a year and a half after that he had any permission to act in a private capacity. He was not aware whether the letter enabling him to do so contained any express stipulation. It was distinctly understood that the business for which he was retained was the winding up of confiscated lands in the Waikato. It was not at the time imagined that he would act as a private agent.

Mr. McLEAN said that, in the first instance, the Government had been trustees for the Natives in connection with the township of Shortland. The principal block alluded to was one in which Mr. Mackay and the Natives were privately concerned. In the leases given, Mr. Mackay appeared to be constituted private agent, although at the time public agent of the Government. He had not been able to get the documents in respect to those leases, and some disadvantage arose from not having an account of the transactions between the Natives and Mr. Mackay, who had always represented himself as having been appointed in the capacity of agent by the Government and the Natives of Shortland.

Mr. RICHMOND said that the arrangement, in the first instance, was limited entirely to one particular block, which was intended for the gold field. Mr. Mackay acted in anticipation of the title being obtained in the Native Lands Court, and it was necessary to make arrangements prior to that. The arrangement made was somewhat irregular, but nothing better could be done at the time, as there could be no regular proceeding at that time. As to acting as the agent of the Government, it was only until the title to the land had been completed in the Native Lands Court.

Mr. McLEAN said some of those titles had only been completed within the last few months.

Mr. CREIGHTON did not believe that there was any irregularity in Mr. Mackay's action in opening the gold fields. In the original contract, when the Natives opened up the ground for mining purposes, they excepted all land called township land, and the Government were authorized to sell or let the township land for the benefit of the Natives, and Mr. Mackay, on behalf of the Government, had acted quite regularly in the matter. No doubt a few mistakes were made in the first instance, but that was only to be expected. The petitioners, as he understood, now objected to accept a title or lease at the hands of the Natives; they desired to hold under the Crown, from whom they expected to get better terms than they could obtain from Mr. Mackay, as a private agent. With regard to the petition the case was different. The petitioners alleged that the land held under lease was part of the gold field that had been proclaimed. As the township increased, the demand for business residences increased, and a great many were pushed backwards and encroached upon the original gold field, taking up the block of 100 acres which had been built upon by the miners under the gold fields regulations. In Shortland Mr. Mackay had obtained a lease of this ground, the beneficial interest of which he disposed of. No survey of the exact boundary line of the gold field existed. Mr. Mackay had had that line in his own mind, and upon inquiry he thought it would be found that Mr. Mackay had only done what he was perfectly entitled to do. He did not object to the printing of those documents, though he believed they would be valueless to any one but those immediately interested, and who had invested their money in the town of Shortland. The land had been taken up in blocks of twenty and thirty acres, and disposed of at a premium, as much as £2,000 and £3,000 being given for those blocks. Of course, the people who paid that money now felt that, in these dull times, they had made a bad bargain. That was the whole secret of the matter.

Mr. SWAN said he wished the two agreements and the proclamation of the town of Shortland to be printed.

Mr. McLEAN said that they were already printed.

Mr. CRACROFT WILSON, C.B., said that did not include the 141 acres.

Mr. SWAN said that, as regarded the 141 acres, those persons wished to be protected against the consequences of Mr. Mackay's speculation. He would agree to the addition to the motion proposed by the honorable member for Coleridge.

The SPEAKER said, before putting the question, he wished to make a few observations upon the remark of the Native Minister, to the effect that the papers laid upon the table of the House during the session had been very numerous, and that the Government should exercise some discretion in printing them. He thought that the honorable member failed to see the difference between the duties of the Executive Government

and the Legislature in the matter. When a paper was laid upon the table of the House it became the property of the House.

Mr. McLEAN said he had never intended to interfere with papers laid upon the table of the House. His observation simply applied to papers the Government were asked to lay upon the table of the House. He was quite aware, that after papers were laid upon the table they became the property of the House, and that with the House rested the discretion as to their being printed. In his observation, alluded to by the Speaker, he had simply wished to convey his opinion that, with the exception of the petition, it was quite unnecessary to print the voluminous documents indicated in the notice of the honorable member.

The SPEAKER said he wished to direct the attention of the Native Minister to the 123rd Standing Order, by which a Committee was appointed to assist the Speaker in arranging papers for the purpose of printing. When papers were laid upon the table they became the property of the House, and it was the duty of the officers of the House to see to their printing, if ordered. For that purpose the printing office attached to the Executive was commonly used. But if there existed any difficulty with respect to the printing of papers, he would feel it his duty to get them printed wherever he could. It was entirely the duty of the officers of the House and the Committee to decide upon what papers should be printed. It was left to the Speaker to make the selection. The journals and appendices belonged to the House, and the Executive Government had nothing to do with them more than ordinary members of the House. He had observed that during the past few years there had been some confusion of ideas with respect to the matter.

Mr. McLEAN hoped he would not be understood as having the least desire to interfere with the functions of the Legislature in the remarks he had made. He understood perfectly well that when papers were laid upon the table of the House, and ordered to be printed, the Executive Government had no right to interfere. The papers to which he had referred had not been laid upon the table; they had been only asked for by the honorable member for Franklin. Those papers were of such a voluminous character that they had not been brought down by the Government, and, if ordered to be laid upon the table of the House, he would be one of the last to interfere with their printing.

The SPEAKER said that he acquitted the Minister for Native Affairs of any desire to interfere. He would be the last, he believed, that would try to do so, but he had observed, from time to time, that there appeared to exist a want of any distinct idea, on the part of the Executive, with respect to the matter.

Mr. McLEAN said, as far as the motion of the honorable member was concerned, he had no objection to the petition being printed, but he was opposed to the correspondence being printed.

Question put, That the memorial to the Government, on the subject of leases of the township

of Shortland, from the inhabitants of the township, together with all correspondence, be printed.

Motion negatived.

Question put, That the petition of seventy-three residents on that portion of the township of Shortland called Waitangerua block, No. 27, presented to the House, be printed.

Motion agreed to.

DEVELOPMENT OF THE RESOURCES OF THE COLONY.

Mr. HALL moved, That the House go into Committee for the purpose of presenting a respectful address to His Excellency, requesting that he will cause to be placed upon the supplementary estimates such a sum of money as may be necessary for the purpose of giving effect to the recommendations of the Select Committee on Colonial Industries.

IN COMMITTEE.

Mr. HALL said honorable members were aware that a Select Committee had been appointed to inquire what steps should be taken with a view of developing manufacturing industries in the Colony. The Committee had sat conjointly with a similar one appointed by the other branch of the Legislature, and had devoted considerable time to the work assigned to it. The Committee had taken valuable evidence, which was submitted to the House with their report. The report also contained some valuable suggestions. The following extract was worthy of consideration:—

“The Committee have confined their inquiries to the consideration of those steps which should be taken to develop industrial resources which can be successfully prosecuted with the high wages current in these colonies. To attract and to keep a large population, those industries which yield the highest return to the labour employed in their prosecution should first be developed. Nothing is more calculated to attract a large labouring population to these shores than the knowledge that constant employment at remunerative rates of wages is to be found here. A general prosperity of the labour class implies, in these colonies, where this class of the population is more or less of a migratory description, increase of population and revenue, with a development of the productive resources. Low wages and irregular employment imply emigration to more favoured regions, a falling off in the revenue, and a general depreciation of the value of property of all descriptions. It therefore becomes a matter of the utmost importance that, without artificially stimulating high wages, we should yet do all in our power to promote the development of those industries which can be worked to the greatest advantage to the labouring classes, and thereby promote a constant flow of immigration.”

The report went on to place, in a clear light, the measures which it was believed would most conduce to the development of the natural resources and manufacturing industries of the Colony. Some of the recommendations, he was afraid, could not be acted on during the present session, but, on the other hand, some of them

were very valuable, and could be given effect to at once. The first four suggestions referred to the production of gold. Number one recommended that steps should be taken to secure an adequate supply of water to the gold fields: that had already been provided for. The second, referring to the migratory character of the mining population, recommended that the law regarding the finding and working of minerals should be assimilated throughout the Colony. At that advanced period of the session it would be hopeless to attempt to deal with so large a subject. The third suggestion, based chiefly upon the recommendations of Dr. Hector, was to the effect that the law regarding the working of quartz reefs should be altered. It was the first time attention had been called to the subject, and he hoped it would receive the attention of the Government during the recess, with a view to introducing improvements in the law at a future session. The fourth proposal recommended that the existing uncertainty in the law as to the right of owners of the soil to the precious metals existing below the surface, should be put an end to. Steps should also be taken to carry out that suggestion. Those were the recommendations of the Committee with respect to the production of gold. He apprehended that nothing further could be done towards acting upon them during the present session. The fifth suggestion directed attention to a tin mine supposed to exist in the Colony, and, with a view to promoting its development, it was proposed that a suitable reward should be offered to the first discoverer of a remunerative mine. He trusted that the Government would see their way to carrying out this proposal, and, indeed, offer a reward, not only for the discovery of tin, but for copper and other minerals. The sixth suggestion in the report referred to the valuable coal mines at the Grey and Buller, which were at present comparatively undeveloped and useless, and recommended that steps should be taken by the Government for the construction of a tramway or railroad to those mines. Measures in this direction had already been taken. He would only express his regret that the political division of the Grey Valley was a great obstacle in the way of the development of the Grey mines. He hoped the Government would not lose sight of the proposal. The seventh suggestion was to the following effect:—

“That it is desirable, with a view to encouraging the planting of timber in the treeless regions of the Middle Island, that persons planting timber trees upon unsold Crown lands should, upon terms to be fixed by the Government, be secured in the freehold of the country so planted out, either by pre-emptive right of purchase or by free gift. The strong winds prevailing over many parts of New Zealand greatly tend to check the operations of agriculture, while the open and shelterless state of the country causes the soil to become much more readily dried and parched up than would otherwise be the case. If land occupiers could be induced annually to plough up and sow with the Tasmanian black wattle a few acres of land, the shelter so much desired would be ob-

tained at a cost comparatively trifling, a supply of good fuel would speedily be provided, and a valuable article, now much required by our tanners, and at present imported from a distance, would be procured on the spot."

This question would be a rather difficult one for the Colonial Government to deal with as the land laws now stood, but he trusted it would not be lost sight of. There were few subjects which were more deserving of attention, especially in those parts of New Zealand which were devoid of timber, as was the case in that part of the Colony in which he resided. The report then took up the question of sericulture, and made recommendations which would be covered by the resolutions now before the Committee. One of these recommendations was that assistance should be given to Mr. Batchelor, of Nelson, who had devoted much attention to the subject, in the prosecution of his experiments in sericulture. The ninth resolution went further, and stated:—

"That, to promote the general introduction of sericulture, premiums not exceeding, in the whole, £500 per annum, should be granted to persons planting out mulberry plantations, upon obtaining therefrom not less than a hundredweight of silk cocoons, or eggs to the value of not less than £50. The experience of California, as set forth in the interesting paper upon the subject by Mr. Baldwin, sufficiently shows with what great advantage to a country assistance such as that indicated may at times be afforded by the state."

Honorable members who had read Captain Baldwin's report would, he felt sure, be interested in the manner in which that industry was being developed in California, and instructed by the extent to which its growth was promoted by the encouragement given by the state. Very soon after sericulture had, by this means, been established, its profits in one year exceeded the large reward given by the state of California. Looking to the character of the population of this Colony, and the manner in which it would probably be settled, the promotion of sericulture was a most important object, as affording a prospect of useful employment to a large number of persons. The next recommendation of the Committee was one which could not be dealt with during the present session. It related to the question of protective duties, and was as follows:—

"That there are many industrial pursuits peculiarly adapted to the Colony which might be introduced with advantage, and would become sources of wealth to the Colony, if adequately protected during the period of infancy. That the present position of the brewing and malting branches is stated by the witnesses to be due to the protection they have thus received, which has raised them to such a state of efficiency that, in a short time, protection will probably cease to be necessary. That an indiscriminate system of protective duties is undesirable, and would be injurious to the Colony; but that a temporary protection to certain specified articles would develop many manufactures peculiarly adapted to the Colony, and which, once thoroughly established, would be self-supporting, and cease to

require the fostering aid of protective duties. Amongst those, the Committee would especially mention, tweeds, cloths, and coarse woollen goods, rope and cordage, soap, starch, leather, and malt."

He did not wish now to raise the vexed question of protective duties, but he was bound to mention this as part of the report. The question had been disposed of for this session, although he could hardly say that it had been discussed. The House had, however, pronounced an opinion on the subject, and it now rested with the constituencies of the Colony to pronounce their opinion. The next paragraph of the report contained a proposal for encouraging several industries by offering bonuses. It stated—

"That the development of some other industrial pursuits would often be best promoted by the offer of a bonus upon production. They would mention the following articles as deserving this particular encouragement:—Common glass bottles, fast becoming scarce and too bulky to be imported to advantage—a bonus of, say, 1s. per dozen upon manufacture of first 10,000 dozen; paper, printing or packing, a bonus of 10s. per ream upon manufacture of first 500 reams of packing, and 20s. per ream upon first 500 reams of printing paper; woolpacks, 1s. 6d. each for first 6,000; cornsacks, 6d. each upon first 20,000; serim cloth, 6d. per yard upon first 10,000 yards; sugar or syrup produced from beetroots the produce of the Colony, a bonus of £10 per ton upon first 100 tons of sugar, and £5 per ton upon first 50 tons of syrup."

He hoped, if any other article suggested itself to the Government as proper to be included in this list, that they would not confine themselves to those mentioned in this paragraph. The Committee did not include flax manufacture, because he presumed they understood that this industry was being dealt with separately. The report next stated—

"With a view to developing the manufacture of fine flannels and cloths, still extensively followed by small farmers in Wales and Yorkshire, the Committee suggest that it may be desirable to encourage the introduction of small colonies of Welshmen and Yorkshiremen acquainted with these processes, the Colony paying their passages, and afterwards granting them farms in fee-simple, subject only to their manufacturing certain specified quantities of flannel or cloth."

He hoped that subject would receive the attention of the Government, because what had been accomplished at Nelson clearly showed that, in spite of the disadvantages under which the manufacturers of cloth must labour in a new country, it was possible to manufacture exceedingly useful woollen cloth at a profitable price. He felt sorry that in Canterbury, where such large quantities of wool were grown, they had not done something of the same kind as in Nelson. He was afraid the remaining suggestions were such as they could not now deal with. They referred to the construction of docks, the assimilation of laws for the prevention of scab in sheep, the providing means for affording technical education,

and the training up skilled labourers of all classes. Those were questions which they could not deal with during the present session. He had, however, quoted from the report suggestions on several subjects, with regard to which the Government could at once do much good if they took the matter up in earnest. This question of establishing a variety of industries in the Colony, and the employment to be thereby afforded to a considerable population, was not inferior in importance to any of the subjects which had been brought before Parliament this session. It appeared to him of greater importance even than immigration, than alteration of land laws, or than any amount of expenditure upon railways. They might bring people into the Colony by immigration, but unless they found employment at nearly the same rate of wages that prevailed in the Australian colonies the people would not stop here. They might give them allotments of land, but unless a market for agricultural produce was afforded to the settler at a price which would leave him a fair profit, he would not stop on the land; they might make railroads to every man's door, but if he had not work at a rate of wages enabling him to live with the same degree of comfort that he could obtain in other new countries, the railways would only assist him to leave New Zealand. What their great aim should be in this Colony was to foster the growth of industries which would afford employment to a large population nearly all the year round. This would assist the farmers in obtaining a supply of labour during their busy season at a moderate rate of wages, without which they would not be able to extend the cultivation of the land. In the mother country it would be remembered that, when harvest time arrived, a large number of labourers ordinarily employed in other industries were available for the extra work in the harvest field, who earned then a larger amount of wages than they were ordinarily in the habit of receiving. Although some honorable members might not feel so very strongly on this subject as he (Mr. Hall) did, he believed the desirability of promoting the growth of home industries would be generally admitted, and he hoped it would not be disputed that for this purpose considerable assistance from the Government could justifiably be afforded. The establishment of manufactures in a new country must necessarily labour under many and serious disadvantages. They had not large amounts of accumulated capital seeking investment; they had not an ample supply of skilled labour of various kinds, and they could not expect to have such labour at the same cheap rate as in old countries. Yet goods manufactured here would have to compete with the produce of countries possessing all those advantages. It seemed to him, therefore, that unless assistance was afforded to colonial industries in their infancy, they would probably not be established, at any rate for a very long time to come. He hoped the resolution he now proposed would be passed unanimously, and that the Government would take up the matter heartily; unless they did so, the House might as well not pass the reso-

lution at all. Ministers could not devote themselves to any subject more worthy of the Government of this Colony, or by which they could do more good to the country. Everything would depend upon the spirit in which this task was undertaken. If the importance of the subject was fairly considered, he did not believe that House would refuse to vote even so large a sum as £20,000, if required, for the purpose he had alluded to. He did not, however, now ask for any large sum, as the actual disbursement of money would not be required during the current year, except to a small extent. He hoped the House would hear from Ministers that they appreciated the importance of this subject, and would devote themselves to it during the recess energetically and earnestly.

Mr. CARRINGTON regretted that attention had not been given to the iron sand of Taranaki, the manufacture of which would be of the greatest importance to the Colony.

Mr. HALL must apologize to his honorable friend for having unintentionally omitted to mention the importance of the Taranaki iron sand. When last in England he had made considerable inquiries respecting its manufacture, the result of which was very satisfactory. He had obtained first-class cutlery made from this sand; better steel could scarcely be found. He believed there was nothing more important than the development of this manufacture.

Mr. STAFFORD said that he had expected that a great portion of the speech which the honorable member for Heathcote had just addressed to the Committee would have been made when the customs tariff was under consideration. He was disappointed the honorable gentleman had not spoken on that occasion, for he felt some curiosity to know what arguments would be brought forward in favour of making everything which they consumed, or wore, or in any way used, dearer than nature intended it to be. He wished to know why, in a young country like this—nine-tenths of which had not yet been seen, except by an infinitesimal portion of the inhabitants—they were to assume that there was nothing for the people to do but to attempt to bolster up very bad manufactures at a very much greater cost to the people who used them than that at which much better could be procured in other parts of the world. It seemed to be thought that the process which was termed "keeping money in the country" would follow from fostering those manufactures. Could it be supposed that the people of this, or any country, would lock up what gold they might possess because they were allowed to import those things they consumed in daily life from other parts of the world. Any man who had money to spend would spend it; if not obliged to spend it on bad boots, or spades, or shovels, or hats, he would spend it on other things. When they had peopled and worked up those parts of the country which were at present wildernesses, but which nature intended to produce largely, it would be time enough to foist upon the country artificially-created manufacturing towns. The honorable

gentleman had referred to what the people of England did. What did they do when they were in the same state as the people of New Zealand? Did they attempt to create manufacturing towns? No, they drained the land and made it accessible by roads and bridges so as to enable the people to obtain a livelihood from the produce of the soil, which was the natural resting place and the source of wealth for a wide-spread population. When they had come to that state of having utilized all the waste lands of the country it would be time enough to attempt artificially to foster manufactures. To talk of their having nothing to do in a country like this—a great portion of which the people had never seen—but to produce artificial manufactures, appeared to him to be so absurd, and so much like the mere school-boy theory, that he was astonished at his honorable friend the member for Heathcote having allowed himself to be deluded by the idea—he said allowed himself, because he could not believe that the honorable gentleman had really bestowed upon the subject that great attention, and that perspicacious zeal, which he was in the habit of giving to subjects which attracted his attention. He thought the honorable member had allowed himself to be influenced by a cry. He hoped—and he trusted the honorable member would allow him to say so with great respect—the honorable gentleman would, during the recess, go into the whole question of the laws of political economy, of free trade and protection, and he (Mr. Stafford) ventured to think he would speak in a more doubtful manner on the subject than he did now, if, indeed, he did not altogether change his mind. Nothing would give him greater pleasure than to hail the honorable gentleman back as a convert to the true theory of trade and commerce in a new country. With regard to the report of the Committee, he wished to explain his position in regard to it. He was a member of that Committee, but he was placed on so many Committees this session—on more than he hoped to be placed upon in any future session, if he should have the honor of a seat in this House—and the Committees were so generally summoned to meet at the same hour, that the consequence was that he had to go from one Committee to another, until he found that he was able to be of little or no use on any Committee, and could not act with satisfaction to himself. He, therefore, resolved to attend two or three Committees only, and the Colonial Industries Committee was one of those he was unable to attend. The report was drawn up, after many of the members of the Committee had left Wellington, by the Hon. Mr. Waterhouse, who, he believed, made some compromises in preparing it. He had informed him that he would protest against the recommendations contained in clause 10, and, to some extent, to the recommendation in clause 8. He believed that Mr. Batchelor's zeal and the time he had bestowed upon sericulture deserved recognition in some way, but mulberry trees were to be found in every nursery garden in the country, and doubts had been expressed as to whether the particular

mulberry which Mr. Batchelor had been cultivating was the proper one to be cultivated. It was the *morus alba*. There were three varieties of the mulberry, and there was some doubt as to whether the best variety for the silkworm had been cultivated. He thought Mr. Batchelor's services could be best recognized by giving him a bonus for producing a certain number of cocoons. He believed that Mr. Batchelor was in a position to compete for a reward of that sort. He had succeeded in raising a number of cocoons, which were favourably reported on by the silk merchants to whom they had been sent; but the quantity was very small, so that it could only be looked upon as yet as somewhat of an experiment. Then, with regard to clause 10 of the report, it might be observed that while a protective Colonial Treasurer proposed to legislate in one direction, this Committee recommended something the very opposite. It was always found to be the case, that when a protective fiscal policy was adopted it was very difficult to know what to protect. In protecting one article, they often so affected another as to result in driving the trade out of the Colony. He took, for example, the article of cordage. They had a considerable ship-building interest at Auckland. Some years ago the Government of which he was a member reduced the duties on cordage, with the view of promoting that industry, and they also took off the duties on all other articles required in ship-building. The trade was then in its infancy; it had since grown into an important industry, and there were now turned out from Auckland sailing vessels and steamers which were admired in every port which they entered. It was now proposed to put a heavy duty on cordage, which would interfere with that trade. The honorable member for New Plymouth had spoken favourably of the iron sand of Taranaki, and there was no doubt that it was capable of producing iron, or rather steel, of a good quality. When he was last at Christchurch he visited the large foundry established there by Mr. Anderson, the late Mayor of Christchurch, where a large number of persons were employed. He had much pleasure in seeing so large a number of hands so employed, and in observing the remarkable intelligence displayed by the workmen in that factory. He expressed to Mr. Anderson the pleasure he felt at his being able to execute so many kinds of work. He replied, "Oh, this is nothing to what I could do, if only a protective duty were put on agricultural implements, as winnowing machines and steam engines; everything of that kind we could make here." He could employ a thousand people in a few years—people, probably, who were now wandering about the streets of Christchurch—if the Parliament would only put a protective duty on the importation of those articles.

Mr. CRACROFT WILSON, C.B.—Loafers and wanderers about the streets of Christchurch would not suit Mr. Anderson or his factory.

Mr. STAFFORD was aware that Mr. Anderson's rules were very strict. He did not see any man in his employ who was not a foremost man. Mr. Anderson had said nothing as to the people

wandering in the streets; that was his (Mr. Stafford) statement. A saddler, also, whose saddles made in this country he was lately admiring, had said to him, "I know you are an influential man in the Assembly; why don't you get them to put a heavy duty on English and Victorian saddles, so that we can make them here?" He (Mr. Stafford) said he supposed he would like a heavy duty on leather too. "Oh, no; let us have English and American leather duty free, because we want that, and cannot get on without it." But leather makers in this country wanted protection against English and American leather. Again, the Colonial Treasurer proposed to take off the duty on cornsacks, while the Committee proposed to give protection to the manufacture of cornsacks in the Colony. They proposed to encourage the flax trade; but they would not do so by taking off the duty on cornsacks. Cornsacks and woolpacks could be manufactured in this country if a heavy duty were put on those imported. The result of this initiation of a protective policy would be that they would have to protect everybody all round, and everything used by the people of the country would not only be dearer, but would be also of inferior quality. If the money were, in the manner proposed, "kept in the country,"—as it was euphonistically styled—the effect would be that, in a short time, they would have no money to spend. That would be the result, and a most unfortunate duty it would be for any Government or Legislature to undertake; for, having once admitted that protection was to guide their fiscal policy, they would be obliged to extend protection to every person in turn. They could not, and would not, know where to stop. So far from capital or labour being invited into the country by these means, the country would become so notorious for its high prices, that both capital and labour would be deterred from coming to it. He would not, at that late period of the session, in a mere incidental discussion, into which had been imported the question of protection and free trade, delay the House by adverting to the subject at any length; but, as he foresaw that this question was one which from session to session would, in some shape or other, be brought up—having now been initiated by the honorable gentleman opposite—he did earnestly trust that honorable members would take a little trouble to compare results, and to ascertain what had been the results of different systems in other parts of the world. He regretted very much to say it, but he did not think the Colonial Treasurer had treated the House very courteously when he moved the second reading of the Tariff Bill. He might have had business elsewhere, or he might have been indisposed, but he left the House after having made a very inefficient speech in introducing that Bill, probably because he knew that he could not carry it; but the honorable gentleman threw down on the floor, as it were, one of the most important measures introduced during the session, and did not stay in the House to hear the speeches made upon it. It deterred him (Mr. Stafford) from speaking. The

Ministerial benches were empty; with the exception of the Defence Minister, who, as they all knew, had not devoted much attention to the consideration of that subject, none of the Ministers were present. If the Colonial Treasurer had been in his place, he might have heard a most instructive speech on the subject from the honorable member for Newton. That speech, however, would appear in *Hansard*, and might be the textbook on the subject during the recess, because the honorable member did not confine himself to his own observations, but had adduced many instances from the observations and experiences of others, illustrative of the effect of a protective policy in other parts of the world. The honorable gentleman not only referred to what had been done in old countries, but he adduced the very latest experience of the Government of the state of California, a new country. A most condemnatory review of the results of a protective policy was made by the Governor of California in opening the Legislature of that state. Not only did the honorable gentleman refer to California, but also to the arguments based on the results of a protective policy used by Mr. Secretary Wells, the Secretary of the United States Treasury. It was a notorious fact that the experience of the working of their fiscal policy in the United States had necessitated a change in their policy. But recently they were considering, in Congress, this question of protection, and were largely amending their tariff, with a view of lowering, and in some cases largely reducing, their protective duties. They had nearly protected their commercial navy off the face of the sea—their ocean steam navy was gone—just as they would do in this Colony with the ship-building, if they were to initiate a protective policy by putting on a high duty on the principal fabrics required in the trade, for the sake of artificially stimulating manufacture in this country. There was one thing that was most remarkable, and that was the cowardice of those who favoured protection in this country. They had, for instance, the Premier, while supporting what was but the thin end of the wedge—the proposed new tariff—saying that he was a free-trader to the backbone. What did that mean? Surely no man could suppose the Premier did not know what he was doing. Why did he not boldly say that the Colonial Treasurer had converted him on that subject, as on every other subject on which the honorable gentleman (Mr. Fox) had previously expressed an opinion. He presumed that, by the next session, the honorable gentleman would admit himself to be a convert to protection also. Then his honorable friend the member for Heathcote had allowed his judgment to be entrapped by the plausible term applied to the protective tariff of Victoria by Mr. Travers—of "discriminating duties"—just as the rump of the old protection party in England were now attempting to revive protection under the guise of the term "reciprocity." There was a class of people in this country who were among the most deluded of all the deluded persons—the unfortunate agriculturists—who have been led to imagine that because the Colonial

Treasurer last year confessed his intention of protecting grain, that protection would end there. They knew that agriculturists, as a class, although they might take some time to open their minds to a new idea, found it very hard to get rid of the idea when they had once adopted it. They thought that protection meant solely a duty on corn. They did not conceive that everything the farmers used in their calling would also be protected. The very first people to go to the wall, if the principle of protection suited their policy, would be the agriculturists, for there was one thing they might depend upon, that the people of this country would never allow a prohibitive bread tax to be imposed; they would never allow people to be absolutely unable to procure a loaf on account of the high price of bread. They might be perfectly certain of this, that while they might get the very smallest amount of protection possible, there would be imposed contemporaneously a number of other protective duties, so that they would have to pay a higher price for everything they required, even down to their spades and shovels, and their boots and shoes. They would have to pay so dearly for every article which they required in their business and otherwise, that the small amount of protection which they might get upon the bare possibility of New Zealand having occasionally to import more wheat than it grew, would be a mere bagatelle. The agriculturists were the people who would undoubtedly suffer mostly by a protective policy. It was well known that in all countries where protection ruled, the men who first went to the wall were the growers of bread. He hoped his honorable friend the member for Heathcote would give him the assurance, which would relieve him very much, —having worked with him so long, and having hitherto agreed on all important questions—that he would give this subject his attentive consideration before he finally made up his mind upon it. It would occasion to him (Mr. Stafford) a very great feeling of distress if this question should be approached by them from opposite points of view, so as to prevent them from working together on other large subjects. It would be a great relief to his mind if he knew that his honorable friend, during the recess, would regard the subject with that attention, that pertinacity of purpose with which he followed up the trail on all questions which interested him; and that he would reserve his opinions until he had fully weighed the facts, before he committed himself on the subject of protection. He did not mean to say that they could not readjust the tariff for revenue purposes, as they had done in 1867, nor did he mean to say that they might not make some distinctions in imposing customs duties, nor did he set his face absolutely against the principle of bounties for a short time. He thought that where there was a sufficient amount of capital among people who had sufficient technical knowledge to make experiments in the production of certain articles, there was no impropriety, in a young state, in saying to these people, "If you produce so many pounds of a good article of commerce, we will pay you so much per pound or per ton, as the case

might be, for so many years, so as to cover the risk of investing your capital in the necessary plant; but if you do not produce a good article, you will get nothing from the state." To that extent he was not indisposed to go.

Mr. MACANDREW.—Was not that protection?

Mr. STAFFORD.—No, it was not protection; it was only a temporary encouragement to persons in the Colony, to ascertain whether they could produce certain articles of commerce at a price to compete with other parts of the world, but they did not shut out the rest of the world from competition as to these articles. Admitting the same articles from other places would act as a spur to the colonists to produce the best possible article. There was a difference, to his mind, between a prohibitive duty, which shuts out articles from other parts of the world, and bounties which encouraged a growing industry in a young country. But close watching would be required on the part of the Government with respect to the production of any article for which a bonus was given, to insure that the public money was not misappropriated. The resolution of his honorable friend was so indefinite—no sum being named—and there had been such a decided expression of opinion from the House on the subject of protection recently, that he should not divide the Committee upon it, because he did not believe that the Government could, after what had taken place with respect to the Customs Bill recently, do anything save inquire into the subject. Until the next session, when the country had expressed its opinion on the subject of protection, as the House had expressed its views recently on the proposed customs tariff, the Government would not be warranted in doing more than hold out some inducement to enterprise by the promise that, subject to the approval of Parliament, bonuses would be given if certain articles were produced, on certain conditions as to quality. To that extent they might go. But he did trust that the action of the Government would be confined to that course of action, and that no bonuses would be given except for articles of good quality which had actually been produced, not in the way of advances to enable plants to be established, but as a bonus after the article had been produced, and had been tested by competition with similar articles produced elsewhere, and proved to be at least of equal quality.

Mr. VOGEL supposed that the object of the speech of the honorable member for Timaru was to amuse as well as to instruct the Committee. The speech was suggestive of what had sometimes happened in connection with a newspaper. A certain piece being announced to be played at the theatre, and it being not convenient to send a reporter, the piece was described and the actors were criticized in an elaborate notice, the misfortune being that the notice read very queerly in the paper next morning, as, in fact, another piece than that announced had been played. The honorable member for Timaru evidently came down to the House resolved to make a speech which was prepared for the discussion on

the Customs Tariff Bill, but which was not suited to it, and which was less suited to the present motion, but which, nevertheless, he felt bound to deliver. The honorable member refused to understand one principle upon which it was advocated that some assistance should be given, through the customs duties, to manufactures and production; and he chose to suppose that the advocates of that assistance were guided by some worn-out theories of which much had been heard in older countries. In fact, the honorable member's speech was a *rechauffé* of arguments, most of which he probably heard in his youth; while some of them might have been impressed upon his mind by his writing them out as school exercises.

Mr. STAFFORD.—When I was at school, schoolmasters were all protectionists, and did not give us exercises such as the honorable gentleman supposes.

Mr. VOGEL.—The honorable gentleman is now very much opposed to an import duty upon foreign timber; but no doubt in his school days he would have supported an import duty upon foreign canes. Every person was a protectionist at heart, according to his own theories. The report which the honorable member had used as a peg on which to hang his speech, and with nine-tenths of which report he said he agreed, was a practical refutation of the theories stated in that speech. The purpose of the report was to encourage manufactures and production in New Zealand; but the motion for the adoption of the report had been seized as an opportunity for abusing what the honorable gentleman called "protection," and without admitting that the honorable member was justified in calling protectionists any of those who held the views stated in the report, since he liked the term, let it be used. The fact of the speech having been made on the motion for giving effect to the report, and the matter of the speech itself, showed that the honorable member could not help feeling that, despite all his theories and dogmas, the object of protection was to encourage manufactures and production, and that it served that object to some extent. The honorable member for Timaru—who was no longer in his seat—commented upon his (Mr. Vogel) absence during the discussion on the Customs Tariff Bill; but that absence was partly due to his understanding that there was to be no debate on the second reading of the Bill—an understanding which was shared by a great number of members; and partly to the fact that he was unwell, and not equal to remaining in the House. There was certainly no desire to show discourtesy to any honorable member who took part in the debate on that occasion. The honorable member for Timaru attempted, in the course of his speech, to give local application to old and wide theories. He asked whether, if we commenced imposing discriminative duties—"protective duties" the honorable member called them, of course—we did not know that the time would come when every article that could be produced here would be protected, and the price consequently made four times greater than it otherwise

would be. It was perfectly arbitrary talking about articles being made four times dearer; especially as the experience we had had in the colonies did not tend to show that an increased price to the consumer was a result of taxation through the customs. Ale brewed here was not made dearer than it would otherwise be, by the import duty on English ale; and the short experience of an import duty on flour had not shown the effect to be increased price to the consumer. Singularly in conflict with the theories of free traders was the fact that, instead of the import duty on foreign flour raising the price of that produced in the Colony, there was in Auckland, at the last advices, a difference of 30s. in favour of the flour produced in the Colony. The answer to the remarks of the honorable member for Timaru, about everything being protected ere long, if the system were initiated, was, that he refused to understand that it was not proposed to do more than raise a certain amount of revenue by means of the customs: to determine what amount was necessary to be raised through the medium of the custom house, and then to impose duties calculated to raise that amount in such a way as would be likely to stimulate local production—that was to say, if an article could be produced in the Colony, and persons preferred paying a higher price for a better foreign article—or, rather, a more fashionable article, for, generally, it was a question of fashion and not of quality,—they could do so, and if the result was a stimulus to local production, so much was the gain to the country. He had never supported, or heard supported, a wholesale imposition of duties, regardless of revenue requirements. The honorable member for Timaru tried to ridicule the principles laid down in the report. He said that the ship-building trade in Auckland was very prosperous, and he laughed much when he said that it was proposed to put a duty on cordage, needed for ship-building, which duty might raise the price of cordage. But, surely, the Auckland ship-building trade, being very prosperous, might afford to pay a small contribution towards assisting some other industry,—if the duty did increase the price of cordage, which was not admitted to be a necessary effect—because those who desired to see colonial industries established said that cordage might, with advantage, be manufactured in New Zealand. In other words—and this should be the test as to any discriminating duty—the duty should not be imposed unless there was a feeling of certainty that within a given, not long, period, the article upon which the duty was to be imposed could be advantageously produced in the country, and sold cheaper than the imported article. If that principle was adopted, it seemed to him to cut the ground from under those who talked about such duties being a hardship to the consumer. It was difficult to know the object of all that was said by the honorable member for Timaru about the Canterbury iron foundry, unless, in sensational novel style, the remarks were meant as an advertisement. The honorable member was very facetious upon cornsacks.

He said, "On the one hand you propose to remit the duty on cornsacks, and on the other hand you propose to give a bonus upon their manufacture within the Colony." The honorable member thought that very funny. But let it be remembered that imported flour came in bags which were duty free; so that a duty upon sacks in bales placed the foreign grower at a great advantage compared with the local growers; and if cornsacks could soon be produced in the Colony, with advantage, and sold cheaper than those imported, it was a very reasonable thing to offer a bonus to stimulate that production. The honorable member called him (Mr. Vogel) a "protective Treasurer," and was particularly facetious about a difference of opinion between members of the Government of discriminative duties. But ought such a difference, if it existed, to be a source of mirth to the honorable member? Why, close to the honorable member for Timaru sat his late colleague, the honorable member for Heathcote, who, upon this very question, held opinions very different from those of the honorable member for Timaru. If that honorable member considered it so important that there should be unanimity amongst the members of a Government with respect to this question, how was it that his Government came down to the House with the strongest protective measure ever proposed, or that could be advised, in the Colony, namely, the measure for a differential duty in favour of New Zealand distilled spirits, equal to one-half the duty on imported spirits? That measure certainly went further than he (Mr. Vogel) should be inclined to do; for it would be difficult to decide whether the benefit of the differential duty was enjoyed by the agriculturist, or who enjoyed it, or whether a profitable trade was being stimulated and the revenue being unduly injured. He thought it would not be necessary further to detain the Committee by comments on the speech of the honorable member for Timaru. He had a large number of notes on the general subject; but he had endeavoured to confine himself to replying to the honorable members speech, hoping thereby to avoid provoking a discussion, which he felt sure the Committee did not desire should now be raised. The Government were not disinclined to discuss the subject; but they certainly did not anticipate a discussion on the motion for the second reading of the Tariff Bill, believing that it was understood the discussion was to be taken when the Bill was in Committee. The subject would surely be revived; and it would be better to take the discussion upon some motion to which direct practical effect might be given. To discuss upon the present motion the question raised by the honorable member for Timaru would be to be little, if it all, more practical than a debating society. The motion could have no meaning, if the honorable member for Timaru, or any other member, supposed that effect was to be given to the proposals of the Select Committee through the agency of the custom house. What was contemplated was, direct assistance of a practical nature. He was not prepared to say that if the

very general motion of the honorable member for Heathcote was adopted, the Government would strive to give effect to all the specific recommendations of the Select Committee; but if the motion was adopted, the Government would look carefully into the report, and see which of the recommendations they could, without an undue assumption of responsibility, give effect to before the next session. He did not agree with the honorable member for Timaru in ridiculing the idea of New Zealand becoming a manufacturing and producing country. The excess of imports over exports might show that the fixed capital of the country was being increased; but if only for the purpose of educating the people, and opening employments to them, it was most desirable that industries should be stimulated. We did not want a country filled with people fitted merely for unskilled manual occupation, or candidates for Government employment. There could be nothing more sad, socially or politically, than that the young people of a country should grow up unfitted for skilled pursuits. An often-cited example of the value-creating power of skilled labour was, that a bit of iron, in itself worthless, might be converted into hair-springs for watches, worth £1,000 an ounce. Take a young man, who was earning just what he could by the exercise of his brute force in mere manual labour, and train him to a skilled employment; by so doing he was educated to the most useful purpose for himself and for society. Money was spent ungrudgingly to secure to youth the best results of book-learning; but that should not be the end, or the chief aim, of education—a better purpose was served when a youth was fitted usefully to take his place in the world. That was a pregnant remark by Mr. Lowe, in a lecture delivered in Edinburgh, when he said—in effect—"I never find myself in company with an educated workman, without thinking what an uneducated person he must think me." To resolve to continue dependent upon foreign countries for all such things as could be imported, would be not only not to offer inducements to an increase of population by immigration, but it would be to leave the existing population uninformed to a degree which deprived it of half its usefulness. This question was not to be dealt with as if we were not leading, to some extent, artificial lives. The honorable member for Timaru, when he talked about raising the price of necessities of life, talked as though he thought we were leading so natural a life that, beyond absolute necessities, there was nothing economically to be considered. But look at the shops in any town in New Zealand, and it would be found that two-thirds of them were for the purpose of trading in things which did not supply the absolute daily needs of life. If first principles were to be reverted to, why should not the Government import flour and other necessities, and supply them to the people at cost price? If a merchant had no artificial wants he might be content with very small profits indeed. Even in free-trade England consumers did not obtain articles of use so cheaply as they might be sold. Such was the artificial condition of trade

in Great Britain, that articles bought there for trade in the Colony might, when they reached here, be bought, sent back, and be supplied to the British consumer at a less price than was ordinarily charged there. It was notorious that, in the hardware trades, for example, a person who went to buy in an English warehouse would have certain prices stated to him; but if he said that he wanted the articles for exportation to the colonies, he would at once get something like 25 per cent. taken off, besides large allowances in the shape of discounts; so that such operations as had just been suggested were possible, with a profit on the re-sale in England. Articles of food, absolutely necessary for daily consumption, could not be supplied to the consumer at first cost; nor would the effect of stimulating industries, in the way now proposed, much affect the prices which consumers would have to pay. To any one who spoke of it as a hardship, that there should be such duties as were recently proposed on imported grain and flour, it might well be answered, "If twice a week you forego your glass of spirits, you will save a good deal of money during the year, despite those duties." He had been tempted to digress more than he had intended, and he would now be brief. It was certain that what might now be called the national life of Great Britain had not strengthened with the growth of free trade principles. Contrarily, free trade had brought foreign nations more nearly into competition—it had stimulated in the minds of so many British subjects so strong an interest in foreign nations, as to destroy, to a great extent, the growth of true national feeling. Free trade had also tended much to cause it to be thought in Great Britain that pecuniary considerations were, in certain aspects, superior to national considerations. No one in the colonies could be blind to the fact that with the growth of free trade in Great Britain there had been decay of national feeling in and for the empire: free trade had materially weakened the ties between Great Britain and the colonies. Appeals to pecuniary considerations could never develop a national feeling; but nothing could be more effective in that direction than the fact that a country was to a considerable extent self-sustained. People might talk about protection not having been a success in America; but, at any rate, it had tended to develop and strengthen the national feeling. If we did not succeed in making New Zealand self-supporting as regarded at least some of the necessities of life, we should remain in want of that element of—to use a favourite phrase—"self-reliance" which would be likely to lead us up to the position of a country possessing a strong sense of nationality. He did not use the term as at all implying a separation of the Colony from the empire. But we might be one of the important dependencies of the empire; and there was nothing inconsistent with such a position in the cultivation of a strong local feeling, which would make us desire that New Zealand should be a dependency of which the empire had reason to be proud. A certain amount of encouragement to industries was necessary to

create and develop such a feeling; and if the idea of the honorable member for Timaru, that there was something ridiculous in a young country trying to become a manufacturing and producing country, was to find favour, it would be calculated to cause New Zealand to be regarded, not as a home, but as a mere place of temporary dwelling for those who might find it convenient to come into it. If the resolution now before the Committee were adopted, the Government would, as far as they fairly could, give effect to the recommendations of the Committee; and he hoped the Government would be able next session to submit a proposal which would lead to a distinct plan for the encouragement of industries. He was strongly of opinion—and he made the suggestion merely as his own—that it was very desirable there should be established a chamber of manufactures, with branches in different parts of the Colony, on a plan similar to that of the New Zealand Institute, which had answered so well. The payment of the yearly subscription would be a guarantee that the members took an interest in the objects of the chamber; and into the hands of the representative managing body there might safely be placed a considerable amount of responsibility—including, probably, the duty of making recommendations as to the expenditure of such funds as might be set apart by the Legislature for the purpose of encouraging industries. The Government consider it to be an essential part of the policy of progressive colonization which they have submitted to the House, that there should, when required, be afforded encouragement to local industries of all descriptions which may be carried on with advantage to the Colony.

Mr. CREIGHTON said he was exceedingly sorry to hear the concluding statement of the Hon. the Colonial Treasurer, because he could conceive of nothing which would be more fatal to the success of the great colonizing scheme which the Government had introduced. If the policy which the honorable member had now enunciated were given effect to, the Government policy must prove a failure. He might be wrong, but that was his opinion. He would not presume to follow the honorable gentleman through his speech at that inconvenient hour, nor did he intend to reply to his speech. It was, no doubt, necessary for the honorable gentleman to reply to the strictures of the honorable member for Timaru; but statements had been made during the debate, by the Colonial Treasurer and the honorable member for Heathcote, which he (Mr. Creighton) could not allow to pass unchallenged. He thought there was a fallacy underlying the speeches of those honorable gentlemen. The principle enunciated by the Colonial Treasurer and the honorable member for Heathcote, and which they had been told was embodied in the report of the joint Committee on colonial industries, was this: that these industries were to be established, not to supply any known want, but to attract population to this country. In point of fact, the House was asked to appropriate the public funds—the money raised from the taxation of the present inhabitants of

the Colony—to establish local industries as schools for educating youths in the various branches of manufacture, so as to attract, by the high rate of wages offered, immigrants from the overcrowded labour-markets of the old world. He could conceive of nothing more fallacious than that argument. It was quite true that, by giving a bonus to the manufacturer to enable him to purchase machinery and employ skilled labour, they could produce any material in this country; but as soon as the bonus was withdrawn which was contributed by the state, which represented the difference between the profit and loss which a private investor would incur on the transaction if left to his own resources—when that was withdrawn, the manufacture would be abandoned unless there was a local demand. Money could produce in this country any known article of manufacture, but it was impossible, without population, to create a local demand for those manufactures. It seemed to him that the Committee, and those who had spoken in support of the report, had kept out of sight the economical law of supply and demand. Where there was, in a new or an old country, a want of any material, such local demand was invariably met by the local supply. They might look at the ship-building yards, rope and cordage works, and the machine and engineer shops in Auckland as an illustration of this. There were now three or four engineer and machine shops in Auckland, two of which—if regard were had to the class of machinery employed for turning out engines, boilers, castings, and other descriptions of iron work—he knew to be equal to anything they could see in the largest engineer shops in England. Messrs. Fraser and Tinnie, Mr. Masfield, and others, in Auckland, who were engaged in this business, were not protected; but they had been assisted by capitalists in the establishment of their business, the local demand being a sufficient guarantee for the success of the undertaking. No bonuses were required to establish those large, and, he might say, national undertakings. It was the same with regard to ship-building. The ship-building interest in Auckland was created by the local demand. The local necessities were sufficient to establish that large industry. The ship-building trade in Auckland was the largest industry of the kind in the South Pacific. There was no money paid to the ship-builders as a bounty from the revenue. They received no special advantages. The settlement of the Province of Auckland rendered communication by water with the chief town absolutely necessary. The Province was intersected by navigable rivers and tidal estuaries, and it was further broken up by mountain ranges. The settlements were planted on the fringes of these harbours and rivers; and the settlers felled the trees and built vessels to convey their produce to the city, when communication by road was impossible. In this way the ship-building interest of the Province of Auckland grew without Government aid, but solely to meet local necessities. It was the same also with regard to cordage and rope manufactures. He believed that it was a fact that in 1864, when the customs

tariff was revised, a gentleman who was then a member of the Assembly, and who was largely engaged in the shipping trade in Auckland, procured an exemption from duty on two-inch rope and under. He urged that he had a fleet of vessels engaged in the Sydney trade, and that if they imposed a duty on that class of rope they would be levying a heavy tax on his business. The House recognized the justice of his remonstrance, and agreed that the best protection that could be given to New Zealand commerce was free trade and the remission of special burdens. What was the consequence? That firm gradually advanced until it was now the owner of a fleet of steamers which performed almost the whole of the intercolonial and interprovincial trade of the Colony. In Auckland the local demand for rope and cordage was such that Mr. Neal Lloyd, who began business in a small way, and, unaided by bounty or capitalist, had now the largest ropewalk south of the line. He was not protected for anything in the shape of rope under two-inch cordage, and he had absolutely competed, in the open market, with cordage which was admitted duty free. So much for the argument that local industries required grants in aid from the state to insure their establishment. He looked upon the question before the Committee as one of principle, upon which he felt very strongly. They were told by the Colonial Treasurer that it was not proposed to assist local industries through the custom house, and that, therefore, it was not protection. How, he would ask, was the assistance to be given? In what way was the revenue of the country raised? Was it not raised through the custom house; and, therefore, whether the bounty came in the shape of a vote from the House or by the adoption of “discriminating” duties, as it was called, it amounted to exactly the same thing. The revenue was chiefly raised from the custom house, so that such an argument could not hold good. It was, therefore, proposed to assist in establishing local industries through the custom house; but he maintained that the true theory was this—and it was one which had tended to establish the supremacy of England as a manufacturing country—to admit the raw materials for all local manufacture free of duty. Let the state recognize, in all cases, the well founded effort to establish local manufactories, on however small a scale, and allow the raw material used in such manufactures to be admitted free. The prime cost, freight, and insurance on goods coming 15,000 miles across the ocean, and the interest on the money invested, would be a sufficient protection for the local manufacturer, provided always that the raw material was admitted free of duty. But if England were to be guided in its commercial policy by the same enlightened views as had been expressed in the House that evening, and it was declared to be desirable that the wool-farmers in England should be protected by the imposition of a duty on colonial-grown wool, what would be the state of the pastoral interests of the Middle Island? If this country were to make itself a South Pacific Japan—if it were to shut itself out from the world, and to isolate

itself from the great community of nations—if it were to have no association with other states, and have no participation in the genius of progress; if, in fact, it was to make no progress except a progress backward to mediæval times—then the British Parliament was justly entitled to exclude the raw material we export to England, or to impose such a duty upon it as would render it impossible to continue our production at a profit. If the argument was good on one side, it must be good on the other. If the imposition of protective duties was to create a national feeling in New Zealand—as the Colonial Treasurer intimated—if the adoption of a free trade policy was to “denationalize” the English people, then the sooner the English Parliament and people adopted the protective policy and shut out the kauri gum, wool, and gold we exported from this Colony the better. England would then become a great nation, and the English people would be imbued with national instincts and aspirations such as would carry them triumphant through every strait, as in the days of old, when they cut the first figure in Europe. With regard to America, the Colonial Treasurer was at fault when he said that the protective duties had created a national sentiment there. The protective, or, as it was termed, the Morrel tariff, had not been ten years in the United States, and, so far from creating a national sentiment, it had created secession in the South, and led to the most deplorable war the world ever witnessed—a war attended by much misery to all classes of people, not only in America, but also in great Britain. The manufacturing classes of Manchester and other northern English towns were dependent upon the cotton products of the Southern States, and the war, which stopped the supply of cotton, inflicted more misery in the United States and England than any other event that had ever taken place in the world’s history. That was the result of a protective tariff in the United States. The United States of America had had a feeling of nationality before the Morrel tariff was imposed; and he (Mr. Creighton) apprehended that it was a love of free trade which had created the national sentiment. He thought that when the inhabitants of Boston tossed the tea into their harbour, because the English Parliament had presumed to tax their imports, the national sentiment of America was baptized into the faith of free trade. By that Act the national sentiment of the United States became wedded to free trade; and until the deplorable time when the protective tariff was imposed, he believed the American people were possessed of as great an amount of national sentiment and pride in their country and institutions as any other nation in the world. But there was another reason for the strong feeling of nationality in the United States. It was produced to a large extent by the homestead law, under which every man could select 240 acres of land as a home for himself and his family, which homestead was practically inalienable. There were no large blocks locked up against settlement by squatting tenants, as in New Zealand; but if any person in the States chose to purchase a large

estate, he was at once liable to direct taxation on the value of the land and all improvements. A comparison had been made by the honorable member for Heathcote between California and New Zealand, and the honorable member had quoted from Captain Baldwin’s report in reference to sericulture. He (Mr. Creighton) would have a word to say about that report. There was, in truth, no comparison whatever between this country and the state of California. What were the facts regarding that great country. In 1856 the state of California commenced its first railway, and there were now 700 miles of railway in operation, and as many more were projected or in course of construction at the close of 1869. These railways were constructed, not out of money raised outside the state, but by bonds and obligations given by the various counties through which they passed. He held in his hand a return showing the financial condition of California, and he found that the funded debt of forty counties on November 1, 1869, amounted to 6,660,450 dollars, and the unfunded debt to 1,435,937 dollars; the assessed value of property, 235,621,213 dollars; and the rate of taxation, exclusive of Federal taxes, ranged in the various counties from 1½ dollar to 5 dollars on each 100 dollars. A country whose industrial enterprise was backed by a people which submitted to direct taxation to that extent could not be brought into comparison with this country at all. The question as to whether the system of granting bonuses had been successful in California or not was quite another thing. That it had not been successful he was prepared to prove. He thought that upon that subject Governor Haight was as good an authority as Mr. Baldwin, who had been there only a few weeks. He should read what Governor Haight had said in his biennial report, in September, 1869, by way of contrasting it with what the honorable member for Heathcote had said with reference to the inferences to be drawn from Mr. Baldwin’s report as to the good effect of bonuses in promoting sericulture in California. The honorable member for Timaru had also advocated the granting of bounties. Notwithstanding Mr. Stuart Mill’s theory in favour of bounties, he thought the practical test which had been applied in California proved the system to be an extremely pernicious one to adopt. The system of giving bonuses for local industries, unless the utmost care was taken to prevent frauds upon the revenue, was productive of nothing but jobbery. Under the head of “silk and other bounties” Governor Haight said:—

“By an Act passed April 2, 1866, premiums were offered for the production of silk cocoons, and for plantations of mulberry trees. The phraseology of this law was so loose and unguarded that it left the state treasury liable to be stripped of an indefinite amount of money, without any corresponding benefit whatever. An Amendatory Act was passed March 30, 1868, the object of which was to prevent the threatened draft on the treasury, and fix some limit on the amount liable to be taken therefrom for the benefit of the persons engaged in raising mulberry trees.

Under this Act and the Act of April, 1862, claims for premiums were required to be presented before a board of five judges, consisting of the Governor, the President of the Mechanics' Institute, and three presidents of agricultural societies. At the last session of that board, among other claims, was one for \$15,000 in favour of the mission woollen mills in San Francisco, which was allowed by a majority of the board, and several claims for mulberry plantations. The latter were augmented in one case to the number of 24½ premiums, amounting to \$6,125; and in another, to the number of 15½, amounting to \$3,875, by drawing imaginary lines through a plantation, so as to inclose in each space 5,000 trees, and claiming a separate premium for each of these subdivisions of the plantation. The board, by the votes of a majority, allowed these claims, but, at my request, the Attorney-General applied to the Supreme Court for a writ of *certiorari*, to review the proceedings of the board, and, upon argument, the awards were set aside."

Governor Haight then came to a specific case of an organized attempt at fraud under the bonus system. He would read the extract from the message, to show how it might be possible for unprincipled men to fleece the treasury, without conferring any benefit upon the country, except the mere nominal one of undertaking to establish a local industry. The message, under the head "San Mateo Tanning Company Act," continues:—

"At the last session of the Legislature a Bill was passed to sell certain tide lands in the County of San Mateo, to a corporation styled "The San Mateo Tanning and Manufacturing Company," at a price to be fixed by appointment of three commissioners. At the time of the passage of this Bill the members of the Legislature were led to believe that the corporation contemplated the prosecution of the business of tanning leather, and desired a tract of tide land of about 75 acres to facilitate their business. The boundaries of the Bill were somewhat indefinite, and it was approved mainly because it provided that the commissioners were to be appointed by the Executive, and furnished, therefore, some security for a fair appraisal. After the close of the session, it appeared that the lands described in the Bill embraced about 6,000 acres, extending from the southern line of San Francisco country several miles southward. The tanning company had no tannery, nor was it ever likely to have one, and it became evident that the land was sought to be obtained purely for private speculation. The commissioners appointed under the provisions of the Bill were Messrs. Lafayette Maynard, Thomas H. Selby, and William Corcoran, who proceeded to appraise the land described in the Act, and fixed the value at \$1,000 per acre, a price somewhat less than the average net proceeds of adjacent lands sold under the Tide Land Act of last session. This appraisal has been duly filed as the Act requires, and notice given to the officers of the company, who, as might be anticipated, have failed to pay the amount of the appraisal. I trust the Legis-

lature will lose no time in repealing the Act in question, and thus protect the state against this attempted imposition."

He had read to the House, on a previous occasion, the general conclusions to which the Governor of the state of California had come from the experience of the last two or three years in that state, with regard to granting bonuses with the view of establishing new manufactures; he should not, therefore, trouble the House with any further remarks on that subject. With regard to the resolution itself, he was not prepared to say that he should not vote for it. At the same time, it was hardly fair for the Colonial Treasurer to taunt the honorable member for Timaru for speaking irrelevantly. The honorable member for Timaru was twitted with having made a speech against protection, and he was told that neither the resolution of the honorable member for Heathcote nor the report of the joint Committee made any reference to protection. To his mind, the speech of the honorable member for Timaru was entirely relevant, as the Committee had recommended a modified system of protection, and the honorable member for Heathcote had, by reading it, made the report part and parcel of his resolution. The report was part of the record.

Mr. HALL.—The honorable member is not dealing fairly with me. When I came to No. 10, which suggested that it might be advisable to grant bonuses for the encouragement of certain industries, I said I would not further allude to that matter, as it involved the question of protection.

Mr. CREIGHTON.—The honorable member had recommended the payment of bonuses, and that was protection under another name. It was simply taking the revenue which was raised at the custom house, and handing it over in a lump sum to persons engaged in a particular business, instead of imposing differential duties on competing articles; and if that was not protection he did not know what protection was. The report appeared to him to have been drawn up from a foregone conclusion. The majority of the members of the joint Committee—for many of whom he had the greatest respect—were known to be protectionists. He had expected, from the first, that the Committee would bring up a report in accordance with the proposals of the Colonial Treasurer, and he had not been disappointed when the report was laid before the House. The Committee had brought up a report which was as lame and impotent a protective document as had ever been submitted to any Legislative Assembly. The evidence appended to the report did not justify the conclusions of the Committee. Those conclusions, as he had already said, have been foregone. The honorable members who formed the majority of the Committee held particular opinions, and they embodied their own views. To give a kind of colour to their report they had seized upon one or two points of Dr. Hector's evidence, and on that slight peg had hung a report in favour of protection. He thought the Committee was not justified in bringing up that report on the evidence before them. Dr. Hector's scientific

knowledge every one admitted, and his evidence was extremely valuable. Mr. Barff, who was not famous for anything in particular, except being a representative for a West Coast gold field district, was also examined. His evidence was not of any practical value, and was confined to the gold fields; and, with the exception of Mr. Birch, who disclaimed any desire for protection, there was nobody else examined, except Mr. Didsbury the Government printer, the Hon. Mr. Holmes, and the Hon. Mr. McLean. These gentlemen knew nothing more in regard to the science of political economy, as applicable to this country, than any other gentleman in the House, and yet it was upon evidence of that description that the report was brought up. There were, however, one or two points in the report with which he cordially agreed; he thought that the utmost encouragement ought to be given to the working of our coal mines. The Government might very fairly apply a sum of money for the purpose of constructing a tramway to the Buller coal mine, so that it might be worked properly by any company. If that were done they would attract shipping, by that means increasing their trade and establishing a valuable export. This would be adding to the wealth of the country. They had, in California, a market already open at their doors, not to speak of the local demand and India. He had a most interesting return of the quantity of coal introduced into the state of California during the last ten years. From this return it appeared that there had been 2,200,186 tons imported from abroad at the port of San Francisco, and 677,375 from the mines of the state. Of this total 288,786 tons were from New South Wales; 154,371 tons were from England; 360,551 tons came from the eastern states of the Union; and 121,985 tons from Vancouver Island. Thus it was apparent that there was a market at their door for a commodity which was lying in their soil without being used. If, instead of attempting to bolster up local industries by putting a few hundred pounds into the pockets of one or two individuals from time to time, or making a vain attempt to build up an ephemeral trade in the country, the money were employed in opening up our coal mines, they would at once increase our commerce, and they would have in return the manufactured products of the countries to which they had exported their coal. With regard to clause 8 of the report of the joint Committee, he looked upon that, together with the proposals with regard to coal and the planting of trees, as the most sensible proposals in it. As for the suggestion that a Welsh settlement should be established, the Government scheme of immigration could provide for that; and he trusted the Government would not overlook the suggestion, which was an eminently practical one. With regard to clause 11, which proposed the establishment of schools for technical education, he thought that, so long as the public lands of the Colony were in the hands of the Provincial Governments, a law should be passed by the General Assembly to compel such Provinces to establish schools for teaching the applied arts and agricultural chemis-

try. If the Provinces surrendered the land fund to the Colony he would be one of the first to vote for the establishment of schools throughout the Colony, not only for imparting technical education in the large towns, but also scientific farming in agricultural centres. A great deal was lost through ignorance of the capabilities of the soil and climate. At present they were exhausting the soil by their rude mode of farming, and the demand to give a premium on cereals would, if agreed to, tend to impoverish the country and waste their capital. He had to apologize for speaking at length that night. He would only say, in conclusion, with regard to the proposal in the report to encourage the planting of timber trees, that the same argument applied to that as to the recommendation with regard to technical education. In California, and various other states of America, the municipalities gave bonuses to residents who planted shade-trees; and the result was that in some of the western states, which had been thrown into barrens by repeated grain crops, were being gradually restored to the character of agricultural districts. This was accomplished by the planting of shade-trees. He would not oppose the resolution. He trusted the Government, during the recess, would foster such industries as the development of our coal mines, and not spend public money in a vain endeavour to establish trade manufactories for the production of articles which would not pay a private capitalist to invest his money in speculation.

Mr. McINDOE would not enter into the question of protection, because he looked upon it as being altogether extraneous to that report. He regretted that the report, which he looked upon as one of the most valuable and interesting documents that had been laid upon the table, had been deferred to so late a period of the session. He thought the report was one of an eminently practical character, and that if such as that occupied the attention of the House more than others of a theoretical character, it would be more for the benefit of the country. He might be permitted to remark with some degree of pride, in referring to the Province with which he was connected, that, in respect to some of the particulars mentioned in the report, the Province of Otago had already anticipated what was proposed. Clause 7 suggested that a certain amount of land should be given to persons who were willing to plant forest trees. At the last session of the Provincial Council a resolution was passed that a block of land of not less than twenty-five acres should be given to any person who would plant the same with wattle, gum, or other timber trees, and after a certain number of years the fee simple of the property would be given to him. He hoped to see the treeless regions of the Middle Island occupied by flourishing plantations. Clause 14, among other things, offered a premium for the manufacture of sugar from beetroot. The Province of Otago offered £1,000 for the production of a certain quantity of beet sugar, and the Government had introduced half a ton of white Silesian beet seed. The beet had been grown, but the want was felt of a manufactory to turn it to

account. Such a manufactory would involve a large amount of capital, and there did not appear to be parties in the Province willing or able to enter into the enterprise. Clause 15 referred to the construction of a graving dock. The Committee had overlooked the fact that a graving dock was being constructed at Port Chalmers, which was rapidly proceeding towards completion. It was capacious enough to take in the largest vessel that came to the port, and was large enough to take in the "Galatea," but there was not a sufficient depth of water to take her into the dock. However, it was sufficiently large to take in the largest ships that traded in these waters. The dock was sufficiently capacious to take in the largest class of merchant ships afloat; the ships of the finest fleet of steamships in the world—the Cunard line, the largest of which was the "Scotia"—could be admitted into it with perfect ease. It would, of course, be out of the question to attempt to construct a dock to take in a vessel of the dimensions of the "Great Eastern." On the question of technical education, too, he was glad to see that the Province of Otago had anticipated the report. They had not only schools established for the higher branches of education, but they had also schools of arts and design, and what the honorable member for Newton desiderated, a chair for agricultural chemistry. So far as these things were considered, the Province of Otago was already fully equipped. Clause 16 referred to a bonus for the manufacture of woollen goods. In the Province of Otago, a bonus of £2,000 had been offered for the manufacture of a given number of yards of woollen cloth. He had no intention to oppose the resolution, but he hoped the Government would exercise a wise discretion in putting it into effect.

Resolutions agreed to, reported to the House, read a second time, and agreed to.

TRAQUAIR AND STUART HUNDREDS BILL.

The SPEAKER announced that he had received a message from the Legislative Council, requesting a free conference on the Traquair and Stuart Hundreds Bill, stating that they had appointed three managers to conduct the same on behalf of the Council, and requesting the House of Representatives to appoint a similar number of managers; to meet at five o'clock.

Resolved, That a message be sent to the Legislative Council, agreeing to a free conference on the Traquair and Stuart Hundreds Bill, and that the managers on behalf of this House be Mr. Macandrew, Mr. Haughton, and Mr. Bradshaw.

Mr. MACANDREW, in a subsequent part of the proceedings, stated that the managers appointed to confer with the representatives of the Legislative Council, had held a conference on the amendments proposed in the Bill, but he regretted to say that they had been unable to come to any agreement. Under the circumstances, therefore, he saw nothing for it but to allow the Bill to lapse. He would say for himself, and those associated with him, that he regretted that very much,

upon public grounds. They had endeavoured to put the matter in the clearest light, but all their protestations were not sufficient to induce those with whom they were conferring to take their view of the case. There was, therefore, no other alternative than to abandon the Bill.

PRIVILEGE.

Mr. BROWN asked when it was the intention of the Privilege Committee to bring up their report.

Mr. FOX stated that in consequence of the Legislative Council having taken no action, and having absolutely declined to take any action in the matter, as stated in a message to the House, and in consequence of the same subject being involved in the conference held by the honorable member for Clutha and other honorable members with representatives from the other Chamber, the Committee had not been able to do anything further. The House was in possession of all the information that could be afforded by the Committee. If he might be allowed, he would suggest the desirability of framing regulations as to the communications between the Legislature and the printing office, but the Committee were not prepared to make any suggestions at that time in reference to the subject. It would be necessary to bring it under the notice of the House next session, but nothing could arise from the matter being allowed to remain where it then was.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

That the Council agreed with the amendments made in the Bankruptcy Bill, the Public Works Bill, and the Summary Prosecutions Bill.

RAILWAYS BILL.

This Bill was received by message from the Legislative Council, with amendments, in which they requested the concurrence of the House of Representatives.

Mr. HALL said that the proceedings of the Legislative Council with respect to the amendments in this Bill involved a case of privilege. The other branch of the Legislature had exceeded their privilege in interfering, as they had done, with what was virtually a Supply Bill. As far as he was concerned, he would endeavour, by every constitutional means, to aid in throwing the Bill out altogether. The sole right of the House of Representatives to deal with Bills of Supply was one which they should defend at any cost.

Mr. CARLETON said the honorable member must have paid very little attention to the subject if he thought the other branch of the Legislature had not the power to deal with a Supply Bill. They had given them that power. He had on many occasions explained how the mistake arose, but, indisputably, the Legislative Council had the power, and it was very much to their credit that they had refrained from exercising it, except under very peculiar circumstances.

Mr. HALL was not in ignorance of how the question stood, but though the other branch of the Legislature might claim the right of interfering with Bills of Supply, it was a right which the House of Representatives never admitted.

Mr. CARLETON asked if the honorable member seriously disputed the powers having been given.

Mr. MOORHOUSE considered that the House was perfectly justified in supporting the view of the honorable member for Heathcote. The clause in the Act of 1865, relied on by the honorable member for the Bay of Islands, was read differently by him, and in a much more restricted sense. In addition, there were passages in the Constitution Act not repealed by the Act of 1865.

Mr. VOGEL thought there was no advantage to be derived from discussing the question at that time, and he would, therefore, move that the amendments be taken into consideration on Monday.

Mr. BUNNY thought that the Act of 1865 unmistakably gave the Legislative Council the power against which the House now protested. Clause 4 was as follows:—

“The Legislative Council or House of Representatives of New Zealand respectively and the Committees and members thereof respectively shall hold, enjoy, and exercise such and the like privileges, immunities, and powers as on the first day of January, 1865, were held, enjoyed, and exercised by the Commons House of Parliament of Great Britain.”

He thought the Government should take steps to bring in a Bill next session to repeal that clause in the Act.

Mr. HAUGHTON hoped the Government would that night give notice of a Bill to repeal the clause in question. It was perfectly monstrous to think that both Houses should have the same power as the House of Commons.

Mr. CARLETON said that the power they had given to the other branch of the Legislature was not contrary to their Constitution Act as it would have been the case in Victoria, where the Upper House was an elective body. As to bringing in a Bill to repeal that power, it could not be passed without the consent of the other branch of the Legislature.

The SPEAKER thought the more prudent course to adopt would be to appoint a Committee to report upon the question. He did not feel competent to give an opinion on the subject off-hand. He did not know that they could call this Bill purely a Bill of Supply. The matter was of considerable importance, and one with which the House should not proceed in a hasty manner.

Mr. VOGEL deprecated any further discussion upon the question. He would move that the amendments of the Legislative Council be considered on Monday.

Motion agreed to.

PROVINCIAL ORDINANCES VALIDATION BILL.

Mr. TAYLOR moved that managers be appointed to hold a free conference with the Legis-

lative Council with respect to their amendments in this Bill; the managers on behalf of the House of Representatives to be Mr. Hall, Mr. Curtis, and the Mover.

Motion agreed to.

PROVINCIAL SHEEP ORDINANCES VALIDATION BILL.

On the motion of Mr. HALL the order of the day for the second reading of this Bill, was discharged from the notice paper.

The House adjourned at nine o'clock p.m.

LEGISLATIVE COUNCIL.

Monday, 12th September, 1870.

Reports—Privilege—Sheep Diseases—Press Telegraph Association—Railways Bill—Temporary Loan Bill—Appropriation Bill (No. 2)—Deputy Superintendent of Wellington—Immigration and Public Works Loan Bill—George Green Land Claims Bill—Messages from the House of Representatives.

The Hon. the SPEAKER took the chair at two o'clock.

PRAYERS.

REPORTS.

The Hon. Major RICHMOND, C.B., brought up the report of the Printing Committee.

The Hon. Mr. SEWELL brought up the report of the managers of the conference upon the Provincial Ordinances Validation Bill, which was agreed to.

PRIVILEGE.

The Hon. the SPEAKER.—In order to avoid any misapprehension on the subject of the Traquair and Stuart Hundreds Bill, with reference to any rumours of the Bill having been tampered with in its transmission from the House of Representatives to this Council, or a different Bill having been foisted on the Council in place of the one officially transmitted, I think it my duty to state that, in my opinion, there is no ground for any such rumour, and that no other Bill than the one officially received has been in circulation in the Council; neither does it appear that any copies of any other Bills were obtained from the Clerk's office contrary to the custom which has hitherto prevailed and my instructions.

SHEEP DISEASES.

The Hon. Mr. CAMPBELL moved, That the Government be requested, during the recess, to prepare a Bill to give effect to the provisions contained in the reports of the Select Committee appointed to consider all the Ordinances of the various Provinces now in force for the prevention and eradication of scab, or other contagious diseases, with the view of framing a general law for the Colony.

The Hon. Mr. GISBORNE could not promise that the Government would prepare a Bill, but would promise that they would take the whole

subject into consideration, and form an opinion one way or the other.

Motion agreed to.

PRESS TELEGRAPH ASSOCIATION.

The Hon. Colonel WHITMORE, C.M.G., desired to ask the Hon. the Colonial Secretary, without notice, why the telegrams of the Press Association, addressed to the *Evening Post*, at Wellington, had been detained here until the telegrams for the *Independent* were issued.

The Hon. Mr. GISBORNE said he was not aware that the fact was as stated by the honorable and gallant member. He believed the telegrams came very late, and that the officers of the department were up all night receiving them. He would, however, make inquiries into the matter.

RAILWAYS BILL.

A message was read from the House of Representatives, stating that, having disagreed to the amendments made by the Legislative Council in the Railways Bill, they request a free conference on the subject of such amendments.

The Hon. Mr. GISBORNE moved that the managers of the said free conference, on the part of the Council, be the Hon. Mr. McLean, the Hon. Mr. Campbell, and the Hon. Mr. Robinson.

The Hon. Dr. GRACE moved, as an amendment, that the name of the Hon. Mr. Russell be substituted for that of the Hon. Mr. Campbell.

Question put, "That the name of the Hon. Mr. Campbell remain as one of the managers," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	15

Majority against	...	...	...	...	5
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AYES.

Mr. Domett,	Major Richmond, C.B.,
Mr. Gisborne,	Mr. Sewell,
Mr. Lee,	Mr. Seymour,
Mr. McLean,	Mr. Wigley,
Mr. Pillans,	Mr. Williamson.

NOES.

Captain Baillie,	Mr. Paterson,
Mr. Bonar,	Mr. Pharazyn,
Dr. Buchanan,	Mr. Robinson,
Mr. Chamberlin,	Colonel Russell,
Dr. Grace,	Mr. Stokes,
Mr. Holmes,	Mr. J. P. Taylor,
Mr. Mantell,	Colonel Whitmore.
Mr. Nurse,	

The name of the Hon. Mr. Russell was therefore substituted for that of the Hon. Mr. Campbell, and the motion, as amended, agreed to.

The Hon. Mr. McLEAN, in a subsequent part of the proceedings, said that, as one of the managers appointed by the Council to the conference with the House of Representatives on the Railways Bill, it was his duty to report that, after a lengthy consultation, they had been unable finally to agree. They had gone through the amendments in the Bill, and had only come to an understanding upon some of them. He had taken upon

himself to suggest that a fresh conference, with fresh managers, would effect the desired object. If such a course were not taken the Bill would drop, which would be a great calamity to the country. If he could do so, he would move that a fresh conference be ordered and fresh managers appointed.

The Hon. the SPEAKER.—Has the honorable member the Bill in his possession?

The Hon. Mr. McLEAN.—Yes; here it is.

The Hon. Mr. ROBINSON said that he desired to state, as one of the managers, that the honorable gentleman had not expressed, to his satisfaction, the conclusion which had been arrived at. They had parted on the understanding that they did not agree. It was suggested that they should recommend to the Council a fresh conference, but the Hon. Mr. Russell and himself would not consent to that. He had listened patiently to the reasons brought forward at the conference, and he had not been convinced that the amendments in the Bill were better than those which had been made by the Council. He hoped that the Council would support the decision of the majority of the managers appointed to act on its behalf.

The Hon. Mr. H. R. RUSSELL quite concurred in what had been stated by his honorable friend Mr. Robinson. The conference had separated on the understanding that they could not come to any agreement, and that they should not recommend a fresh conference.

The Hon. Mr. GISBORNE thought that, as the conference had come to some partial agreement, it would be a great pity, in the interests of the Colony, to drop the Bill altogether.

The Hon. Mr. MANTELL would like to know how the Bill came into the possession of the Council, because the conference had been asked for by the other House?

The Hon. the SPEAKER.—I have gone carefully into the question, and taken the best advice which was available, and I have arrived at the decision that, when a conference is desired by a House in possession of a Bill, it is requested either by message or by conference. If it is by message, reasons are sent, and an answer returned; if by conference, the reasons are given to the managers, to be handed over by them to the managers of the other House. From that analogy I presume that in the case of a free conference the same course would be gone through, namely, that the *vivâ voce* reasons would be given and the Bill handed over. Therefore, the Bill is now in possession of the Council.

The Hon. Mr. MANTELL would refer to the precedent of 1867 in respect to the Public Debts Act, in which a conference was requested by the other House, and the managers failed to come to any agreement. There was no pretence made of returning the Bill to the managers, and nothing had been done. The House of Representatives requested another conference, proving that the Bill was still in their possession.

The Hon. Mr. GISBORNE did not see how the managers of the House of Representatives could hand over the Bill to the managers of the Council, because the conference represented both

Houses. The managers of the House of Representatives had reported the result of the conference to their House, and it seemed to him that it rested with them to decide what should be the next step. If they sent the Bill to the Council with reasons for disagreeing, the Bill would be in the possession of the Council, but at the time that the conference was asked it was in their possession. There was no reason why they should hand over the Bill to the managers of the Council any more than that the managers of the Council should hand it over to the managers of the House of Representatives.

The Hon. the SPEAKER said that a somewhat similar case had occurred some years ago in the English Parliament, in which the procedure had been in accordance with his decision.

The Hon. Mr. MANTELL said that it must be borne in mind that the House which asked for a conference had to receive a report from its managers; then it was for that House to decide whether it would accept the report. It might happen that the House would agree to the amendments, and, in order to do so, it must be in possession of the Bill. The Council had no cognizance of the Bill until it was returned in the ordinary way from the other branch of the Legislature.

The Hon. the SPEAKER.—That has already been done, because the honorable member, Mr. McLean, has given a *vivâ voce* account of the conference, which is tantamount to the reasons having been sent by message.

The Hon. Mr. GISBORNE said that, constitutionally, the Council had never had possession of the Bill since it was returned to the House of Representatives with amendments. The Bill must be sent by message, and not through the managers of the conference. If the Bill were in possession of the Council, it would be for the Council to take action. The Bill must be sent from one Speaker to the other, but he did not understand that the Speaker of the other House had forwarded it. Although the honorable member had the Bill in his possession it was not in possession of the Council.

The Hon. the SPEAKER.—It is in possession of the Council so soon as he makes his report.

The Hon. Mr. GISBORNE thought, with all deference, that a Bill could only be sent by message, and that there was no other constitutional way of doing so. The Standing Orders did not contemplate any Bill coming back through the managers of a conference. What authority had those managers to bring up the Bill to the Council?

The Hon. Colonel WHITMORE, C.M.G., said that it appeared to be improper for a Bill to be handed over to a single member of the conference. The Bill would not be considered, in a parliamentary sense, as in possession of the Council.

The Hon. Colonel KENNY said that it was for the other House to say whether it would take the advice of the managers or not. If the majority of the managers of the Council could not agree with the managers of the other House, how was it that the Bill was handed over to the honorable member who differed from the majority? He believed

that the Hon. Mr. Robinson and the Hon. Mr. Russell would have refused to accept the Bill, and the Hon. Mr. McLean had acted improperly in taking it at all. The course proposed would be in direct opposition to that which was taken in respect to the Public Debts Bill, which, under similar circumstances, was declared to be in the possession of the other House.

The Hon. Mr. ROBINSON desired to say that neither he nor his honorable colleague Mr. Russell were aware that the Bill was in possession of the Hon. Mr. McLean.

The Hon. Mr. McLEAN disagreed altogether with the doctrine of his honorable friend Colonel Kenny, because, being first on the list, he was the leader of the managers. He had expressed his own view of what had taken place and had made his report. He was asked if he had the Bill and he had then given it up.

The Hon. Mr. SEWELL said that, putting aside the question of a conference, if the other House dissented from the amendments which had been made in the Bill by the Council, and sent it back with their reasons for that dissent, it would be in possession of the Council. Before taking that step an intermediate course had been adopted. A conference had been held to ascertain whether the two Houses could agree. That conference was unable to agree, and then the action taken must proceed in the same way as if the other House had expressed its dissent, the managers bringing the Bill back stating that it was in their possession, and that the other House had dissented.

The Hon. the SPEAKER.—I find that, according to *May*, there do appear to be cases in which Bills have been returned by the managers. All that I am aware of is, that one of the managers gave the Bill to the Council when he was asked. I now rule that the Bill is in possession of the Council.

The Hon. Mr. GISBORNE moved that a message be sent to the House of Representatives, inclosing "The Railways Bill, 1870," and inquiring whether they concur in the amendments made in the said Bill by the Legislative Council.

Motion agreed to.

The Hon. the SPEAKER subsequently announced that he had received a message from the House of Representatives, stating that they had rescinded their resolution refusing to agree to the amendments of the Legislative Council in "The Railways Bill, 1870," and that they agreed to those amendments.

TEMPORARY LOAN BILL.

This Bill was received by message from the House of Representatives and read a first time.

The Hon. Mr. GISBORNE, in moving the second reading, said that, in consequence of the recent outbreak of war in Europe, complications might arise which would increase the difficulty of raising loans, whilst, on the other hand, it might render the impossibility of having funds in hand still greater, for, if England became involved in war, we should have to take immediate steps for our own protection against foreign aggression. The Government fully felt this responsibility,

and, instead of asking honorable members to continue the sacrifice which they were undergoing by remaining from their homes for an indefinite period, the Government had thought it best to ask the Legislature to enable them, in the event of such an unfortunate contingency arising, to realize certain moneys for necessary purposes, and to allow the Governor in Council to fix the interest on the debentures. It was not the intention of the Government, if a high rate of interest prevailed, to spend any money to carry into effect generally the Public Works and Immigration Act. They must wait for better times, because it would be ruinous to carry those objects into effect on high terms; but there were certain objects connected with defence in respect to which it would be desirable to obtain some funds. He would mention some objects which would be included in the proposed sum of £500,000, showing how much would be required to be spent for various purposes. The money which the Government proposed to raise would be: For defence, £180,000; amounts which they would require to recoup to the revenue, and which would come under the Loan Allocation Act, £35,000; Wanganui Bridge, £15,000; Southland debts, £50,000; to recoup moneys advanced for North Island roads, spent last year, £25,000; land purchases, £15,000; telegraph extension, £40,000; North Island roads, £40,000; and surveys for railways, &c., £25,000. These sums were regarded as connected with the peace of the country, because they nearly all related to the North Island, and they made a total amount of £425,000. A balance of £75,000 would be kept in reserve to meet special circumstances involving, if they occurred, an exceptional expenditure. As he had already intimated, if a European war broke out, and England should be involved, it would be necessary to take steps to prevent attacks being made on our principal sea ports by privateers or men of war, and to defend ourselves until the Legislature could be summoned and asked to take such steps as might be deemed necessary. The reason for asking that the Governor in Council should fix the rate of interest was because, in the various contingencies which might arise in the money market, if England should be involved in war, or in case of any derangement in the money market, even if England remained at peace, it would be impossible to fix by Act the rate of interest which would be sufficient. He thought the Council would have sufficient confidence in the Government to believe that they would not use the powers entrusted to them unless it were absolutely necessary, and that the rate of interest would not be fixed at a rate higher than could be avoided. He felt, and he thought honorable members would agree with him, that even under the present circumstances, the Government should be armed with a certain discretionary power in order to be able, as far as possible, to meet these contingencies, and that, therefore, he would not have to appeal in vain to the patriotic sympathies of the Council to rally round the Government and intrust it with a sufficient discretionary power, which it would be its duty not to misuse, and for the proper exercise

of which it would be responsible to the General Assembly.

The Hon. Colonel WHITMORE, C.M.G., said there could be no doubt that, under the special circumstances of the case, the Government were justified in coming down to the Legislature and asking for the assistance which it now sought to obtain. He understood that, in consequence of the reckless and extravagant expenditure of last year, there was a heavy outstanding liability in connection with the defence department; that, in fact, £100,000 had been expended more than was spent during the previous year, and that in other departments the overdrafts at the bank were not taken up. It was, however, a maxim of the Duke of Wellington, that the government of a country must be carried on; and he presumed that they, too, must provide means to meet the necessities of the country. He had considered the items which the Hon. the Colonial Secretary had quoted, and he felt confident that they did not constitute the shoe which pinched on the present occasion. The constable had been overrun in a most flagrant manner during the last year, and the Government had concealed it even from themselves. Honorable gentlemen of both branches of the Legislature had been aware of this; but some had despaired, whilst others, careless, perhaps, as to results, had chosen to pass the matter over. Under ordinary circumstances he could not have consented to aid the Government, and allow a Bill to pass in which the Government placed no restriction upon the rate of interest in regard to the money which they proposed to borrow, but, knowing the state of the finances of the country, he should be compelled to vote for the Bill, fearing that, if it were lost, discredit might be brought upon the Colony. The defence of the country must be maintained, and he was sorry to say that the funds on that vote had been largely anticipated. In regard to the remarks of the honorable gentleman, as to the possibility of complications arising in consequence of the war raging throughout Europe, and which might possibly result in our being attacked by privateers, he might say that he had always endeavoured to induce the Government to look straightforward, and prepare for such a contingency before it arose. He thought it was criminal on the part of the Government, when the Commissioners went to England, not to have material sent out for defence of harbours, which might easily have been done. They could have obtained a few of the 68-pounder guns which were lying at Woolwich, and which could not be cast here. In the hands of persons who understood the use of cannon they could have rendered this harbour unapproachable by privateers. Again, the Government, having failed in everything else, had fallen back on the million loan. They ought to rest upon that loan to carry on the defence of the country, and not upon the loan proposed to be raised. The construction of bridges, the making of roads in the North Island, telegraph extension, and such matters, were legitimate items to charge to the Imperial loan, although the £180,000 for defence might not be

an item of that class. Instead of carrying out great works, they ought to set their house in order, in consequence of the great alteration in their financial position. The last quarter's customs had fallen off to the extent of £25,000, as compared with the customs duty of the same quarter of a former year, and he believed the customs revenue would steadily fall lower and lower, and that it would be years hence before they could carry on large colonizing schemes. They should reduce the expenditure to the very lowest possible dimensions. Their produce would be sold at a rate so miserably low that the private income of a large section of the Colony would be considerably reduced. They ought to practice the greatest possible economy in the public departments. They should not now plunge into what ought to be an unnecessary loan of £500,000 without placing a limit to the rate of interest. He felt sure that a great deal of it would be required; and, indeed, if the Government would honestly tell them the real circumstances of the case, the facts would show that a portion of it had been forestalled. It might, however, do greater harm to throw out the Bill than to accept it. They had not the power to introduce words limiting the interest, and, if they had, he was not prepared to endanger the passing of the Bill by doing so. He considered that the Government were bound to detain the Parliament until the Californian mail arrived, although it might be an unpleasant duty, when they would receive a report from the Commissioners giving them the information which it was necessary they should have. The last written news was from a time anterior to the commencement of the war, and he believed the Commissioners had expressed an opinion that they did not think war probable.

The Hon. Mr. GISBORNE.—I will not say that, in private correspondence from the Commissioners, the expression may not have occurred that they did not think war imminent, but it is not fair to refer to private letters as reports from the Commissioners.

The Hon. Colonel WHITMORE, C.M.G., said that they had no information with regard to financial matters, which could possibly give them an idea of how their financial position would be affected by the outbreak of war. If the Government were in possession of that information they would know how far they could draw on the Imperial loan in case of absolute necessity, and how far it would be possible to raise money in the English market at present. The increase in the marine insurance, if it meant anything, must be in the direction of danger of our being drawn into hostilities. For the reasons he had stated, he would vote for the second reading of the Bill, but not without a protest. The Government ought never to have been in a position to require it, and they ought to have much better information than they possessed before such a very unusual step was taken by them.

The Hon. Mr. MANTELL said that if any honorable member would move that the Bill be read a second time that day six months he would support it. There was no doubt that if they gave power to the Government to raise the half million

loan on any terms they would get it, and that the Colony would have to pay for it. The acceptance of the measure would commit them to a repayment of £750,000. To vote against the second reading of the Bill would be merely a waste of time, but he would support a motion for the second reading of the Bill that day six months if any honorable member would propose it.

The Hon. Mr. CAMPBELL felt it to be his duty to support the Bill, but he could not but express his regret that, owing to the blunders with regard to the banking arrangements, the Colony was brought into such a position. The passing of the Bill would do a great deal of injury to the credit of the Colony. If the Government had been in a position to have the whole of the banks of the Colony to manage the finance, they could have gone and asked them to lend the money for a short time. Instead of that, they were asked to pass a measure of this kind, in which no limit was placed in respect to interest, simply because the bank on which they relied was unable to grant them the assistance they required. Looking at the large amount of money which the Government proposed to spend and borrow, it was their duty at once to make a change in their banking arrangements. The Colony must meet its present liabilities at all hazards, whether it paid 6 or 8 or 10 per cent., and it was the duty of the Legislature to place the Government in a position to meet its liabilities. The only other course open to the Government that he could see was, to pay no money whatever to the Provinces if they were placed in financial embarrassment. The Hon. Colonel Whitmore had said that it was the duty of the Government to detain the Assembly until they had received a letter from the Commissioners, but he did not see what good that would do. They all knew that war had been declared, and no letter would make them any the wiser. He hoped that the Government would take into consideration the position of their banking account, and rectify their position by connecting themselves with all the other banks.

The Hon. Dr. GRACE thought that this was a business-like measure. His honorable friend Mr. Campbell said that it was incumbent on the Government to change their banking arrangements, but, in order to enable them to do so, they must have funds, and it was therefore necessary to pass the Bill. The honorable member also said that it was the duty of the Government to withhold money from the Provinces. There were certain Provinces which could not carry on their ordinary administration without the money which they received from the General Government, and, although he was in favour of their absorption, he could not support any such proposal. In reply to his honorable friend Colonel Whitmore, he would say that the Colony was more pinched for money just before the loan which was raised by the Fox-Whitaker Government than it was now. A great deal of the honorable member's argument as to the improvidence of the administration of the Government was not founded on sound reasoning at all. The honorable member was rather inconsistent; he seemed to think

that because money was to be spent on bridges, Southland debts, &c., the whole thing was a piece of extravagance. The greatest possible extravagance which they could be guilty of in difficult times was to arrest the ordinary machinery of the Government, and the best step they could take to keep the wheels going was to continue their colonizing operations. The present proposition seemed to be reasonable and sound, and it was only fair, considering their want of knowledge of the financial condition of the English market, that the Government should have power to borrow money at whatever rate might be considered desirable; otherwise, the Government could not be trusted at all. In all public business, to be well served, there must be a large measure of confidence in the Government; and in difficult times it was fair to show confidence within reasonable bounds such as he considered these to be.

The Hon. Mr. HOLMES had intended to move that certain restrictions should be placed upon issuing debentures, or that some rate of interest should be fixed, below which the debentures should not be sold; but, after what had been said by the Colonial Secretary, he would abandon that idea, and would vote for the Bill as it stood. He felt that they were placing too much confidence in the administration of the funds which would be at the disposal of the Government. It was quite possible that one of them might be of extraordinary ability in originating schemes of finance, but he might lack what was as good a quality, that of strict and rigid administration. He had endeavoured to make himself acquainted with the manner in which the banking business of this country was conducted, but had failed to find the rate of interest upon overdrawn accounts, or upon money remitted home. Had he been aware that the question would have come up he would have made himself acquainted with those particulars; but, arguing of the present from the past, if some radical change had not taken place within the last three or four years, he should be inclined to say that the system of managing the financial affairs of the Colony was altogether defective. He would read an extract from a correspondence which took place in 1866, with reference to the banking account:—

“The Government cannot feel satisfied with such a position, and especially with the mode of treating the credit balances of the Government. These balances are at all times very considerable, occasionally amounting to £50,000, and are, virtually, for all operations, the account of the Colonial Treasurer of New Zealand, in like manner as the operations of the branches of the bank are the operations of the bank as a whole. It is impossible, therefore, to understand on what principle 7 per cent. interest should be charged by the bank on the debit balance of the Government at one branch, while 3½ per cent. only is allowed on its credit balances at other branches of the same bank.

“The inconsistency of such a system is transparent in the proposal of the bank to allow but 3½ per cent. on the credit balance of the Colonial Treasurer, or what the bank chooses to term ‘his

working account,’ while 7 per cent. is charged against the debit balance of what the bank now proposes to call the ‘treasury advance account,’ but which is, in fact, one and the same account, and which was always so treated to the time when the colonial treasury was removed from Auckland, the treasury account being up to that time one account, charged with interest from day to day, as the overdraft was reduced or increased.”

The Hon. Mr. GISBORNE.—It is altered since.

The Hon. Mr. HOLMES had not been able to ascertain whether it had been altered for the better. He believed that the Provincial Governments did their business on better terms than the Colonial Government, whereas it should be the reverse. The Provincial Governments had to submit to a lower price in negotiating their loans. The Colonial Government ought to be able to negotiate its loans and to manage its affairs on better terms than the Provinces. The reason why such a state of affairs existed was that the Colonial Government would not place its business open to competition, as any other Government or a private individual would do. Canterbury, for example, called for tenders for the conduct of its finance, and he believed that Otago did the same. He held that when they had entered upon such gigantic operations neither one bank nor two banks were sufficient for the wants of the Government. If the present Government were in a proper position with respect to facilities for obtaining money, it would not have to come down to the House and ask for that assistance. It was quite possible that in war time the money would be cheaper in New Zealand than in England, as he had known it to be on former occasions. He would, with his honorable friend Mr. Campbell, impress upon the Government the necessity of making a complete revision of their system of local finance. If it were not done, a good deal of blame would rest on the Government. Should he live to come back again, he would see to it that a strict inquiry was made as to the manner in which this money would be raised and expended. He always desired that there was some way of reaching Ministers besides turning them out of office. It would be well if they could go back to the good old days of impeachment or expatriation, by which the members of a Government could be punished for their misdeeds. When the Council resolved to place such implicit confidence in the Government, they should see that nothing was done to prejudice the interests of the Colony or to place it in a false position.

The Hon. Mr. SEWELL said the remarks of the honorable gentleman, that the Government were insensible to the considerations to which he had referred, were unfounded. The practical point to which his observations were directed was the mode in which the Government were carrying on their banking arrangements. He was not able to go fully into that matter, but he did not think that more favourable arrangements could be made than at present.

The Hon. Colonel RUSSELL did not think it could be attributed to the Government that they

had been lack or thriftless in regard to their expenditure. There had been an apparent over-expenditure in the defence account, but the reason was obvious. Even if the expenditure for defence purposes during last year had been more than the amount mentioned by the Hon. the Colonial Secretary, it should not be forgotten that they had obtained very great results, and they had also to bear this in mind, that this year the Native question had hardly presented itself, and, in consequence, they had been able to devote more time to other subjects; in fact, under all the circumstances of the case, a little extra expenditure had been involved, and he did not think that the Government should be blamed with respect to that particular Bill if they were called upon to sanction the payment of money which had been already voted. It was for them to say whether, under the peculiar circumstances of the case, the Government should have more authority given them than the Legislature would otherwise concede. For the reason he had stated he would vote for the Bill.

The Hon. Mr. JOHNSTON said it appeared to be an impression that the Government, in consequence of the narrowness of their arrangements in connection with their banking account, had placed themselves in a difficulty. He might say, that if such were really the case, the Government, if they would only look outside of their present arrangements, would be able to obtain money without any difficulty. Although there was a serious panic in Europe, more or less felt in the colonies, he was happy to be able to say that, as far as the colonial bonds were concerned, the panic did not seem to have affected them; they were, in fact, an exception to the great fall in Government securities which had taken place at home. Therefore, in granting to the Government the power they asked for, he trusted that Government would take care to give their tenders as great publicity as possible.

The Hon. Mr. GISBORNE said it had been already explained that this was not an additional loan, but merely an increase of the rate of interest, if necessary, to realize what had been authorized to be spent; chiefly, in fact, connected with the peace of the country. Referring to the observations made by the honorable and gallant gentleman, Colonel Whitmore, with regard to the alleged extravagance of the present Government, he must say that he thought the honorable member was rather hard upon the Government. The extravagance to which he had alluded did not commence with the present Government. The honorable member spoke as if the Government succeeded to office in time of peace, with an economic expenditure going on. Now, what was the fact in regard to the expenditure for defence purposes? The expenditure of the late Government, for the year preceding the accession to office of the present Government, was about £350,000 a year, and when the present Government succeeded to office that expenditure was increasing in rapid ratio, whilst the sphere of warlike operations was also increasing. At the end of June last they were very nearly on the

eve of a general war. At the present time, however, he could state that, for the last financial year, they had spent £250,000 for defence purposes, which was £100,000 less than what was spent by their predecessors during the preceding year. There was also a greatly decreasing rate of expenditure, and, he hoped, an increasing sense of security in the North Island. Therefore, if the finances were in a bad state, the blame was not attachable to the present Government. He had no doubt the professional instincts of the honorable and gallant member induced him to advocate that no money should be spent except for war purposes, for he did not attack the late Ministry for spending it extravagantly for that purpose. With regard to their waiting for the Californian mail, the Government had gone into that question carefully, and they found that it would only bring postal communication three days later and telegraphic communication four days later. Under those circumstances they did not think that, in those three or four days, any news would be brought to justify the Government in keeping the Assembly doing nothing. With regard to the stopping of payment to the Provinces, that would have been a ruinous proceeding. If an extraordinary crisis occurred they would have been in a state of anarchy. It must be gratifying to the Northern Island members that the Middle Island members had not shown the slightest reluctance, under present circumstances, to sanction an expenditure of £100,000 on roads, surveys, and telegraph extension, as being an expenditure necessary for the pacification of the country. That might be considered as a practical proof of the interest which the Middle Island felt in the North Island. There seemed to be an impression that because the Government banked with the Bank of New Zealand they were to sell the treasury bills to that bank at a high rate of interest. There was no necessity for doing so; they would sell the treasury bills in the best market to realize money. Last year they did not sell the £200,000 authorized treasury bills to the Bank of New Zealand, but advantageous arrangements were made in New South Wales. If the money was to be realized, it was, of course, the object of the Government to realize it to the greatest advantage. He had only to observe that, notwithstanding some harsh expressions used by his honorable and gallant friend, he (Mr. Gisborne) must recognize his public spirit in saying that he did not think it right to oppose the Bill, considering the present state of affairs in Europe. With regard to colonial securities, it was true, as stated by the Hon. Mr. Johnston, they had not been affected. So long as the war was limited to a continental war, the securities might not be affected; but if England were involved in war the securities would go down. The colonies were a most vulnerable point, and privateers might inflict incalculable damage on the Australian colonies by entering ports, and threatening to bombard them or oblige them to pay a large subsidy. We have to provide for the fearful contingency of the war tending to involve England. In reply to the Hon. Colonel Whit-

more, he wished to state that the report of the Committee appointed last session, asking the Commissioners in England to make arrangements for transmitting the ordnance to New Zealand, had been forwarded to them. It was intended, should they not have done so, to write to the Home Government, asking them to make arrangements to supply those guns for the defence of the Colony, and also for small arms.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

APPROPRIATION BILL (No. 2).

This Bill was received by message from the House of Representatives, read a first and second time, considered in Committee, reported without amendment, read a third time, and passed.

DEPUTY SUPERINTENDENT OF WELLINGTON BILL.

This Bill was received by message from the House of Representatives and read a first time.

The Hon. Mr. GISBORNE, in moving the second reading, said the Superintendent of Wellington was in England, acting as Commissioner under the Act passed last year, and was expected to return to the Colony in November next. It was however necessary, by the Constitution Act, that the Wellington Provincial Council should be summoned at least once in the year, and it was proposed to give power to the Deputy Superintendent to summon the Council and prorogue it, from time to time, until the Superintendent returned.

The Bill was read a second time, considered in Committee, reported without amendment, read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

The Hon. the SPEAKER announced that he had received a message from the House of Representatives, intimating that they had agreed to amendments proposed by the Governor in this Bill, in which they requested the concurrence of the Legislative Council.

The Hon. Mr. GISBORNE moved the adoption of the amendments. The Government proposed, under the circumstances, merely to expend the money on public works in the North Island, with the view to the preservation of tranquillity in that Island. The clause originally in the Bill was for the purpose of enabling the Governor to make arrangements whereby the million loan might be utilized. The Governor had been advised by the Attorney-General to make the amendment, which would clearly have that object, and words had been expressly introduced for the purpose of removing any doubt that might have existed.

The amendment was agreed to.

GEORGE GREEN LAND CLAIMS BILL.

A message was read from the House of Representatives, stating that they requested a free conference on the subject of the amendments in clause 2 of the George Green Land Claims Bill.

On the motion of the Hon. Mr. SEWELL, the Hon. Mr. Domett, the Hon. Mr. Holmes, and the Hon. Captain Fraser, were appointed as managers of the said conference on behalf of the Council.

The Hon. Mr. DOMETT subsequently brought up the report of the conference, which stated that they had been unable to come to any agreement.

The Hon. Mr. GISBORNE would be glad if the Hon. the Speaker would give his ruling as to whether this Bill was in the House of Representatives or the Legislative Council.

The Hon. the SPEAKER said the Bill was in the possession of the House which requested a conference, namely, the House of Representatives.

The Hon. the SPEAKER subsequently announced that the Clerk of the House of Representatives had handed the Bill to the Clerk of the Council.

The Hon. Mr. DOMETT moved that a message be sent to the House of Representatives, inclosing the Bill, to ascertain whether the House agrees with the amendment made by the Legislative Council in the George Green Land Claims Bill.

The Hon. the SPEAKER subsequently announced that he had received a message from the House of Representatives, intimating that they had rescinded a resolution disagreeing with the amendments made by the Council in this measure, and agreeing with the said amendments.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Hon. the SPEAKER announced that he had received the following messages from the House of Representatives:—

That they had agreed to the amendment made by the Legislative Council in the Mining Companies Limited Liability Bill.

That they had agreed to the report of the managers of the free conference in the Provincial Acts Validation Act Continuance Bill, and that they had agreed to an amendment proposed by the Governor in the said Bill, in which they requested the concurrence of the Legislative Council.

The amendments made by the Governor were agreed to.

The Council adjourned at fifteen minutes past twelve o'clock a.m.

HOUSE OF REPRESENTATIVES.

Monday, 12th September, 1870.

Provincial Ordinances Validation Bill—Mining Companies Limited Liability Bill—George Green Land Claims Bill—Mayor's Court, Dunedin—Flax Industry—Government Measures—Temporary Loan Bill—Immigration and Public Works Loan Bill—Appeals from Provincial Rating Bill—Deputy Superintendent of Wellington Bill—Mount Benger Petition—Railways Bill—Messages from the Legislative Council.

The SPEAKER took the chair at eleven o'clock.

PRAYERS.

PROVINCIAL ORDINANCES VALIDATION BILL.

The SPEAKER announced that he had received a message from the Legislative Council, requesting a free conference with the House of Representatives upon the subject of the amendments made by the Legislative Council in the Provincial Acts Validation Act Continuance Bill; that they had appointed a Committee of three managers to conduct the same, and had fixed the hour for meeting at twelve o'clock, in the Committee-room of the Legislative Council.

Mr. TAYLOR subsequently brought up the report of the conference on this Bill, which was as follows:—

"They recommend that the amendment of the Legislative Council, in clause 2, shall be altered by omitting all the proposed additions down to the proviso, and by adding a new clause, as follows:— 'Notwithstanding anything to the contrary contained in "The District Highways Act, 1867," of the Province of Wellington, validated by this Act, and until the Provincial Council of Wellington shall otherwise provide, the rates which any highway board under the said Act may hereafter make shall be annual rates, assessed equally upon all ratable property within the district, and no rates made by any such board in any one year shall exceed the amount of one shilling in the pound of the annual value of the property assessed.' The remaining proviso added by the Legislative Council and the schedule to remain, as in the present amendment, as a new clause."

The report was agreed to.

The SPEAKER subsequently announced that he had received a message from the Governor, returning the Provincial Acts Validation Act Continuance Bill with a new clause, validating the following Acts of the Provincial Council of Hawke's Bay:—The Hawke's Bay Sheep Act and the Licensed Victuallers Act.

The amendment was agreed to.

MINING COMPANIES LIMITED LIABILITY BILL.

This Bill was received by message from the Legislative Council, with an amendment, which was agreed to.

GEORGE GREEN LAND CLAIMS BILL.

This Bill was received by message from the Legislative Council with several amendments.

On the motion of Mr. FOX, the amendments were ordered to be read and considered *seriatim*.

First amendment.—To insert, in clause 2, after the word "selection," the following words—"within hundreds after the passing of this Act."

Mr. FOX moved that the amendment be not agreed to.

Mr. MACANDREW understood that the amendments had been suggested by the Hon. Mr. Domett, who was the author of the award, and that he had agreed to the Bill in its present amended shape as carrying out the spirit of the award. He had no official knowledge of the fact.

Mr. HAUGHTON was quite satisfied that the intention of the Secretary for Crown Lands had

not been understood by the petitioner. He understood the petitioner was instructed by his professional adviser to accept the award, on the understanding that he might take the land where he could get it. He hoped the Government would demand a conference.

Mr. W. WOOD firmly believed that the House would be giving effect to the award by passing the Bill as amended by the Legislative Council. They should pass the Bill as amended, and not attach too much importance to what was said or written by the petitioner's solicitor.

Mr. MERVYN said his object was to carry out the intention of the gentleman who had made the award, which was, to give £5,000 worth of land to the claimant. By the Bill as amended the petitioner would be debarred from taking up land except in hundreds which had been open for selection a number of years.

Motion agreed to.

On the motion of Mr. FOX, the second and third amendments were not agreed to, and the remaining amendments adopted.

Mr. FOX moved that a free conference with the Legislative Council be requested on the subject of their amendments in the Bill, and that Mr. Driver, Mr. Haughton, and Mr. Studholme, be appointed managers on behalf of the House.

Motion agreed to.

Mr. DRIVER subsequently brought up the report of the conference on this Bill, which was to the effect that the managers had been unable to agree with the managers appointed on behalf of the Legislative Council.

Mr. MAIN wished to move that the amendments made by the Legislative Council in the Bill be agreed to.

The SPEAKER said it had been decided by the House that the amendments be disagreed with, and it was quite impossible to open that question again. No action could be taken with regard to the Bill except by the Legislative Council, in whose possession the Bill was.

The Bill was afterwards returned from the Legislative Council, with a message desiring to know whether the House still persisted in disagreeing to the amendments made by the Council in the said Bill.

Mr. FOX moved that the vote of the House, in which it disagreed with the amendments made by the Council, be rescinded, and that the amendments made by the Council in the Bill be agreed to.

Question put, "That the motion be agreed to," upon which a division called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	11

Majority for	...	...	...	5
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AYES.

Mr. Carleton,	Mr. Moorhouse,
Mr. Carrington,	Mr. Parker,
Mr. Clark,	Mr. Williamson,
Mr. Dignan,	Mr. J. C. Wilson, C.B.,
Mr. Kelly,	Mr. W. Wood.

Captain Kenny,
Mr. McGillivray,
Mr. McLean,
Mr. Mervyn,

Tellers.
Mr. Fox,
Mr. Kynnersley.

NOES.

Mr. Baigent,
Mr. Barff,
Mr. Creighton,
Mr. Driver,
Mr. H. S. Harrison,
Mr. Main,

Mr. O'Rorke,
Mr. Russell,
Mr. Swan.
Tellers.
Mr. Brown,
Mr. Haughton.

The motion was consequently agreed to.

MAYOR'S COURT, DUNEDIN.

Mr. HAUGHTON asked the Premier, Under what Act or arrangement the fees and fines in the Mayor's Court in Dunedin are paid into the funds of the municipality, and whether the Government will consent to place the other municipalities in Otago, constituted under the Provincial Ordinances, upon the same footing? The municipality of Queenstown was within the district which he represented, and he had frequently received communications from the Municipal Council of that place, complaining that while Dunedin had the fees and fines of the Mayor's Court the municipality of Queenstown did not, although both were constituted under the same Provincial Ordinance, neither of them having taken advantage of the Municipal Act passed in September.

Mr. FOX said he had received a memorandum from the law department on the subject of the honorable member's question, which was to the following effect:—

"There is no Act or arrangement other than clause 41 of 'The Otago Municipal Corporations Empowering Act, 1865,' under which fines and penalties in the Mayor's Court in Dunedin can be paid into the funds of the municipality. The attention of the Government has recently been called to the fact that there has been some irregularity in connection with the payment of these fines and penalties, and the matter is under their consideration."

FLAX INDUSTRY.

Mr. TAYLOR brought up the report of the Committee relative to the manufacture of flax, which was ordered to be printed.

GOVERNMENT MEASURES.

Mr. VOGEL said he wished to explain to the House that the Government desired that it would take into its consideration two or three measures and amendments. By a singular error the schedule of the defence expenditure which was passed in Committee of Supply was omitted to be included in the Appropriation Act. The officer whose duty it was to have done so was under the impression that the expenditure was authorized by the Defence Loan Act. Honorable members would recollect that it was understood that there should be an express provision in the Loan Act that the money should be appropriated by the House, and therefore it was necessary that the schedule, as voted in Committee of Supply, should be in-

cluded in the Appropriation Bill. They would therefore have to bring down an Appropriation Bill No. 2. The amendments, which had been submitted by message from the Governor, were amendments the object of which was to make more clear and definite the powers of the Government to enter into an arrangement with the Lords of the Treasury to enable the guarantee of the million loan to be obtained. They had been advised to take full power, such as would enable them to carry out the arrangement contemplated by the Act, the news of the passing of which by the House of Commons was received yesterday. They also proposed to ask the House to enable the Government to make provision in case an exceptionally high rate of interest should prevail. Honorable members were aware of the news which had been received by the mail, of the breaking out of a continental war in Europe, which might possibly affect the course of trade with Great Britain, and raise the rate of interest and the rate of exchange. If he were correctly informed, advices had been received from Melbourne that the insurance offices had put on a war risk on all gold, wool, and other produce sent to England from Victoria. They had very scant information on the subject at present; nothing, in fact, beyond what they saw in the papers. It was therefore desirable to look forward a little, as it was possible that the rate of interest might be very much increased. Had the session not been so much prolonged, and had not honorable members so strongly expressed their desire to get away to their homes, the course for the Government to adopt would have been, not to make extraordinary provision to meet the emergency, but to wait to see what the necessities of the case demanded. They therefore thought they would meet the wishes of the House in endeavouring to foresee such contingencies as might arise without making the extraordinary effort of calling the House together again, and would also take care that the House was not dissolved until everything was ready for the new elections. It was possible that the House might be called together again somewhat quickly, but they hoped, by the measures they proposed to adopt, the necessity for that step could be obviated. If it should be found that the rate of interest should be so high as to prevent the Government from obtaining the money at the rate of interest contemplated, it was desirable that they should obtain power to extend the rate of interest, and the extent to which that power was asked for was £500,000. The Government were not prepared to go on with the railway works and immigration until they were assured that the money could be obtained at a reasonable rate, and readily. This sum of £500,000 was a provision which the Government thought would be required. In the first instance, the Defence Loan Bill provided for the repayment to the treasury of a sum which was estimated roughly at £100,000, and also for defence purposes for the current year of £180,000, and for the following year £160,000. The amount that might be, and probably would be, required for defence purposes

would be very nearly £300,000; that left a balance of £200,000. The Government asked for that margin of £200,000 to meet possible contingencies, and they conceived that, although they might not be able to go on with the railways and immigration, they should endeavour to go on, at any rate, with the surveys for the railways, and surveys for the supply of water to the gold fields. They considered, too, that they should not entirely discontinue the roads in the North Island, although they should construct them on a much reduced scale, as compared with what they would otherwise do if the money were easily obtainable. They contemplated reducing the expenditure by £40,000. There was another item of expenditure which would be necessary for the extension of the electric telegraph, especially in the North Island. These were the principal things to which they should apply the £500,000. They asked that such a rate of interest should be authorized as the Governor in Council might fix. There was no limit put as to the time that the debentures should run, because it was the opinion of the Government that that question should be left to their discretion, unless the intention of the House should be otherwise expressed. It was not the intention of the Government to fix a long date for those securities—probably from one to three years—but they thought it would be better for the House to leave that to the discretion of the Government. He hoped honorable members would understand that, if they were asking for large powers at the hands of the House, it was for honorable members to decide whether they would leave that power in the hands of the Government, or whether they would prefer to be called together again to consider any emergency that might arise. It was quite possible that they might hear in a mail or two that the war was ended; and, in that case, they should not lose sight of the fact that in the reaction that would follow this disturbance no more favourable time could arise for commencing their system of immigration. With these remarks he would ask for leave to introduce the Appropriation Act No. 2, of 1870.

The Appropriation Bill (No. 2) was introduced, read a first and second time, considered in Committee, reported without amendment, read a third time, and passed.

TEMPORARY LOAN BILL.

The House went into Committee of Ways and Means to consider of leave being given to introduce this Bill.

Motion made, and question proposed, "That, in the opinion of this Committee, provision should be made for a temporary loan of £500,000, in anticipation of the loan authorized by the Public Works and Immigration Loan Act of 1870, and the Defence and other proposed Loan Acts of 1870."—(*Mr. Vogel.*)

Mr. STAFFORD said he had listened with great attention to the speech of the honorable member, made under the supposed necessity for introducing this Loan Bill, and, while he gathered from him that the funds which would be required

for defence purposes would not otherwise be available for the Government without a loan of some description, he failed to gather from him, so far as he understood his arguments, that there was any necessity for any further funds being specially provided for public works or immigration, because they had before them, at that moment, a message from His Excellency the Governor, recommending an amendment in the Public Works and Immigration Loan Bill, which would have the effect—on the receipt of the million loan proposed to be guaranteed by the Imperial Government, on certain conditions—of providing funds for exactly the same purpose for which he understood the honorable member to say he wanted the balance of the £500,000, namely, for the preliminary expenses of survey, which came, very properly, under the head of expenditure authorized by the Imperial Act. That being so, and while they had no less a sum than one million sterling available under the Imperial Act, it seemed to him to be mere surplusage to ask for £200,000 to be raised for the same objects, to be expended next year before the meeting of the ordinary session of Parliament. He could see very grave objections to the course proposed to be adopted; because, by going into the market at a time when money must be more or less high, they would appear to be entertaining a reckless desire to push forward works of that kind regardless of the cost, which could not fail to have a most prejudicial effect upon the London money market, especially as they would be aware that they would have at their disposal a million sterling, borrowed under the wisest possible circumstances under which they could possibly get it, namely, at 4 per cent.; and that £200,000 of that sum would be available within the next nine months. He thought they would justify the alarm and fears of those who were interested pecuniarily in this country, and to whom they might have to make the proposal for obtaining the funds, if they were to say that they were not satisfied with that amount, but that, in the midst of a European war, which would have the effect of suspending all operations, they were determined to push on their public works, and to take up money at any price in order to do so. He did not think that would be a prudent proposal on the part of the Government. The amount required to be brought into the treasury from the defence fund, under the new system of accounts, in repayment of advances, could not be obtained in any other way except by a loan of some sort; but he did not see the pressing necessity or the prudence of raising any further funds under this temporary Loan Act at an indefinite rate of interest. It was true the Colonial Treasurer mentioned another sum of £100,000, but the honorable gentleman spoke so low that he did not catch the specific purpose to which it was to be applied. He was informed, though he did not himself gather it when the Colonial Treasurer spoke, that there was £100,000 which, in round numbers, was estimated to comprise certain sums which the Colonial Treasurer credited as repayments of advances for Wanganui

Bridge, and the repayment of advances to Southland. His recollection was, that there was, in one case, an advance of £25,000, and, in the other, of £15,000, which would make altogether £40,000. There was no doubt the Treasurer had a right to be placed in the position of being able to make use of the balances of the past year by means of treasury bills, at a rate of interest not exceeding 6 per cent. It was possible that the honorable gentleman might find a difficulty in renewing the treasury bills at the rate of 6 per cent. at present. He could only say, speaking for himself, and without having had an opportunity of interchanging opinions upon the subject with honorable members generally, that, so far as the absolute wants of the treasury required the money to conduct the ordinary business of the country, without entering into special or new business, he would be quite prepared to support any proposal which would have the effect of enabling the ordinary business of the country to be carried on and the funds to be procured; but with regard to entering into new works, under the head of public works and immigration, he saw no necessity for the Government, under the exceptional circumstances in which Europe was placed, having any more money at its disposal for that object than the £200,000 which they would receive under the loan guaranteed by the Imperial Government; and he saw no necessity, under existing circumstances, for spending a larger sum.

Mr. VOGEL said that the honorable member was labouring under a mistake in supposing that the Government contemplated spending the money proposed to be raised under this Bill in addition to the amount raised under the guaranteed loan. The Government had brought this measure forward in anticipation that, owing to the length of the war or other circumstances, it might be found desirable to take that course in anticipation of the million loan. The Government claimed larger powers than they had before, but they thought it would be by no means right, after the notice they had received, to take the million loan and abandon altogether the system of public works which they had proposed to construct, and which had been indorsed by the House during the present session. If this sum of £200,000, the balance of the £500,000, was not available, then they would be trying to carry out a system entirely different from that which the House had had under discussion during the present session. If the rest of the policy was not to be carried out, it would be quite right for the House to enter upon the discussion of the manner in which it may be proposed to carry out a system so very different from that which it had decided upon. This proposal to borrow the £500,000 was to enable the Government, if it saw a necessity for raising the money, to do so; and he might say that a considerable portion of it the Government would require to raise. About £100,000 would be required to be borrowed on treasury bills, which they might require to use during the present year. About £180,000 would be required for defence purposes. Then, as he had told honorable members, they did not propose to go into the

system of immigration based upon the Immigration and Public Works Bill, but they thought it would be a great pity, and it would tend to arrest the pacification of the country, if they entirely discontinued the making of roads in the North Island. They thought they would be making the best use of their time, in getting the surveys and plans made for a supply of water to the gold fields. They did not desire, even if they had to pay a high rate of interest, to see the time lost in undertaking those necessary works. The telegraph extension, too, they were desirous should not be discontinued; even if they had to pay a high rate of interest it would be unwise to discontinue that work. They might, also, have to expend a large amount of money if they had an opportunity of purchasing land in the North Island; and the Government would not allow the Seventy-Mile Bush to slip through their hands if they could prevent it. He entirely agreed with the honorable member for Timaru in saying that it would be a most rash thing to think of involving the country in engagements at the present time, unless they could find the money to carry out those engagements. The House might be assured that they would enter into no engagements involving large sums of money under those Loan Bills, unless they were certain to obtain the money at a reasonable rate of interest. Their proposals for public works and immigration were brought forward on the supposition that they would be able to obtain the money at a reasonable rate of interest. He would further point out to the honorable member that, even if they obtained the £200,000 out of the million loan immediately, it would be a question how far they would be justified in using it. He understood that it was a cardinal point in that measure that the money should be expended in carrying out a system of immigration in connection with public works, and with a war risk it would not be advisable to go into an extensive system of immigration. The amount recommended by the Government was to guard against the possibility of not making sufficient provision for the carrying on the business of the country before they separated.

Mr. RICHMOND hoped that the Government would not hurry the Bill through the House without giving honorable members an opportunity of considering it. The credit of the Colony depended upon the prudence which appeared upon the face of those measures. They should regard their financial position in the same light as though they were acting as private individuals. He had never been engaged in commerce, and he did not know how far their system of finance accorded with the opinions of those who might be looked upon as authorities upon such matters. He did not know how commercial men would act under existing circumstances, but he believed that every one in that House could not fail to see that the country was liable to be affected by the circumstances the intelligence respecting which had only been received a few days previously. Every wise and prudent man would admit that retrenchment in their expenditure was necessary. If

they failed to do so they probably knew what would be the result. The Colonial Treasurer had told them, and no doubt they all joined in the hope expressed, that in two or three mails they would hear of an end to the war, than which, perhaps there had never been one so destitute of reasonable cause. They might, therefore, hope that it would blaze out rapidly. It did not, however, require any great knowledge of the history of Europe for the past few years to see that it might, as was the case with the war in America, extend over many years, and involve those who would gladly have stood aloof from it. They would not be wise, he believed, in going further into the financial proposal submitted by the Government than they considered absolutely necessary. The proposal of the Government would seem to involve the necessity of their continuing to sit, or be prepared to be summoned again at a short interval. He was sure that any one who knew anything of the appalling condition of the finances of the country—

Mr. VOGEL asked what direct authority the honorable member had for making such a statement. He asserted that it was a mistake.

Mr. RICHMOND said he had the most direct authority for saying so, although it might appear a strong expression. The condition of their finances was extremely grave, and it required honorable members to bring the greatest prudence, care, and temper to bear in discussing them. Under the circumstances, every member of the House should feel it his duty to sit as long as the Government might demand, and come back when they might require. He had no objection to granting such powers as the Government might deem necessary for carrying on the business of the country, but he would object to going beyond what was necessary for the purpose. In the schedule read by the honorable member there appeared to him to be a demand for more money than was actually needed at the present time. If necessary, they should return to revise the appropriations already made, and such might be found expedient, having regard to the probable condition of the money market at home. He did not wish to impede the Government in asking that the House and the Committee should have time to consider the Bill before them. It was not right that such a Bill should be hurried through the House, and he, for one, was quite willing to sit up all night for its consideration. He would therefore move that progress be reported, and that leave be asked to sit again.

Mr. VOGEL was glad that the honorable member's recent study of Roman history had not prevented him from paying attention to contemporary history also. He seemed to think that the war would last a long time.

Mr. RICHMOND said that if, as usual, the honorable member wished to misrepresent him, he could of course do so, but he objected to have foolish words put into his mouth.

Mr. VOGEL thought the honorable member should be restrained in his impertinences. He was not justified in stating that he was adopting the usual course of misrepresenting him. The

honorable member had stated that there was no reason to hope that there would be a speedy termination of the war, and appeared to be the only honorable member who desired to see the session prolonged. That appeared to have been his policy throughout the session. The Government would be glad, if it were possible, to retain members for the benefit of their advice, but he believed the Government were consulting the wishes of honorable members in endeavouring to release them as soon as possible from their legislative duties. The honorable member's debating had assumed the form of scolding rather than anything else, there being very few arguments in what he advanced. He gathered, from the honorable member's remarks, that he would put a stop to public works, immigration, and railway expenditure, and roads in the North Island. He was sorry the honorable member, who had at one time been of opinion that those works in the North Island were the most important in the country, should now evince any opposition to means being given to the Government to carry them out. The abrupt suspension of road works in the Northern Island, or any alteration of the policy of the Government in that respect, would have a very mischievous effect. It was, also, most desirable that they should provide themselves with information concerning the surveys of railways throughout the Colony, and the supply of water to the gold fields; nor would it be desirable, if a favourable opportunity presented itself, to fail to take advantage of purchasing Native lands at a reasonable price, and not allow them to pass into the hands of private speculators. The purchase of land in the Seventy-Mile Bush, for instance, was almost completed, and it would be a matter of regret if it were to be lost. It would, also, be injudicious to discontinue the telegraph system. He thought the House should see its way to accepting the Bill and making the provision asked for.

Mr. ROLLESTON did not think that was a time when honorable members should indulge in crimination and recrimination. When that House might be said to be in its last moments, they should drop all personalities and calmly consider the exceedingly difficult position in which both the House and the Government were placed. He felt that the Colonial Treasurer had been labouring, during a long session, at plans of no ordinary magnitude, and requiring no ordinary amount of thought; and they should feel that the news which had come from England had now placed him in a position of great difficulty. The House no doubt sympathized with the honorable member; at the same time, he thought it was to be regretted that the honorable gentleman should pass such strictures upon his honorable friend the member for Grey and Bell for the course he had taken.

Mr. VOGEL said that the honorable member had given him provocation, having stated that he had been habitually misrepresenting him.

Mr. ROLLESTON believed that the honorable member for Grey and Bell had no desire to prolong the session. He had known him for many years, and he was satisfied that there was no one

more earnest in his desire to promote the best interests of the Colony than that honorable member. He would say, as had been said by the honorable member for Timaru, that he would support the Government in obtaining from the House such authority as was necessary to carry on the government of the country with credit. He trusted, however, that the honorable member would give the House some little time to consider the Bill. He was sure that the time allowed would not be used for party purposes, but rather with a desire to come to some understanding, on so short a notice, as to what was best to be done in the present crisis. On looking at the Bill hastily it struck him that the best course the Government could adopt would be to place in a schedule the various objects for the carrying out of which they asked authority. It seemed to him that the outside world would look upon the passing of the Bill in its then form as not altogether prudent. The Bill would meet with greater acceptance if it were limited to the specific objects which the House, after mature consideration, determined were absolutely necessary for the progress of the country. He spoke as one who had taken an independent line of action, throughout the session, upon the subject of those important measures which had been before them. From the first he had believed—and there was no material alteration in his opinions—that the scheme was one of too great magnitude, considering the resources and position of the country. He looked upon it as having been introduced at an inopportune time, having regard to the negotiations which were being carried on in England, and he had foreseen that it would be sure to bring about something like a scramble of a disadvantageous nature to the Colony. But though he might have felt all that, he, in common with many others, felt that as the House had passed the scheme in its present form, and the country had become possessed of it, it became every one to do their best to make the scheme a success. He, as an administrator in the government of the country, would do his best to prevent the scheme becoming a failure, and the Government might rely upon his giving it full recognition now that it was impossible to go back from the step they had taken. They should deal with their circumstances, and determine to make the best of them. He felt, with regard to the scheme, *feri non debuit factum valet*. He would devote himself, during the recess, and during the future, when the details of the scheme were being discussed, to assist the Government to the utmost of his power, and he was satisfied that his example would be followed by all members who were not actuated by narrow and selfish considerations. He believed that the scheme would only be saved from the most grievous failure by their all working together with an active faith that, out of the grave of the wretched past, and the torn and distracted present, there might arise a growth of prosperity which would belie their present misgivings, and make the country, not a scorn and by-word, but a praise among the rising nations of the future.

Mr. VOGEL had no objection to an adjourn-

ment if the House generally desired it, but he might inform honorable members that the Bill had obtained the matured consideration of the Government. As to a schedule being attached to the Bill, he hoped the proposal would not be entertained, as it would only lead to a complication of the accounts of the country. He thought it was scarcely necessary that he should assure the House that the Government would not undertake any works, or incur any expenditure, that they were not in a position to carry out.

Mr. RICHMOND had no desire to enter into any personality or scolding with the honorable member, and he was not aware that he had done so before, but he wished to correct one misapprehension, that he (Mr. Richmond) wished to exclude from those works which were necessary for the pacification of the country the works among the Natives in the North Island. He looked upon that part of the policy of the Government with favour. At the same time, the magnitude of the scheme seemed to bear very little relation to the effect produced by the passing of the measure.

Mr. CRACROFT WILSON, C.B., said he did not object to the adjournment with the view to give honorable members time to consider the Bill, but he really believed there was no likelihood of any advantage accruing from doing so. He was satisfied that if the House adjourned, when they assembled again honorable members would have to swallow the Bill in its then form; therefore, he did not think it necessary to lose time by having an adjournment.

Mr. BUNNY said he thought there was no necessity for the House adjourning to consider the Bill brought down by the Government, and he was opposed to the introduction of a schedule setting forth works to be undertaken. The House had placed sufficient confidence in the Government to enable them to raise four millions of money, and surely they were not going to refuse to give them power to raise £500,000. The honorable member for Avon had given them a very interesting address, and, although the honorable member was opposed to the Government scheme, he was still anxious that it should be carried out so far as the Province of Canterbury was concerned. He had always addressed them in very earnest terms. That honorable member, when he entered the House, was one of the most earnest ultra-centralists that could be found, and now he proved to be an equally earnest ultra-provincialist. He was sure a large majority in that House would support the Government in passing this measure, and, therefore, he would oppose any adjournment of the question.

Mr. MOORHOUSE was opposed to a limitation upon the action of the Government. It was necessary, as a matter of colonial policy, and for the pacification of the country, that the public works in the North Island should be proceeded with, and it was also necessary that the telegraphic system should be extended. He was exceedingly impressed with the difficulty which surrounded the Government. It was impossible to state what would be the duration of the conti-

mental war, but it was very probable that it might terminate in a very short time. In that view of the case no time should be lost, and the Government should be in a position to take the preliminary measures for the carrying out of the scheme adopted by the House. The Imperial Parliament had not guaranteed the million loan. If the House refused to pass the Bill and leave the Government dependent upon the chance of the guarantee for that loan being obtained, it would not, in his opinion, be wise under such circumstances so to do.

Mr. WILLIAMSON said it would be exceedingly detrimental to the interests of the Colony as a whole if the commencement of the public works should be postponed. It was true they had all been alarmed by the recent astounding news from Europe, and no doubt that might have a very powerful influence upon the money market at home; but they must bear in mind that the discussions which had taken place in that House, with regard to the employment of labour in the North Island, had been circulated widely among the Native inhabitants. There were many of the Natives on the tip-toe of expectation to be employed upon those works. There was also another matter to be considered. The Natives would have heard of what had taken place in Europe, and were as keenly alive to that matter as we were. Some of the Natives were easily excited, and their ferocious passions were frequently roused by the very mention of war, and they might think the present a favourable opportunity of taking action against the British authorities if assisted by some foreign power. Our wisdom would be shown by diverting their attention to industry, and by employing them, as speedily as possible, on the works we contemplated to carry out in the North Island. It would be unwise indeed if we did not look at that aspect of the case. He would appeal to the honorable member for Grey and Bell, if the honorable member had charge of the Native department, whether he would not indorse what he (Mr. Williamson) had just said. It was quite true that the Natives believed the Government were going to carry on the public works, and they were ready to give their assistance. There should be no delay in enabling the Government to proceed to carry on those works. If they waited until the result of the application for the guarantee of the million loan became known, and that they should then have to proceed upon that basis to raise the money for the purpose mentioned, they would lose the best summer months during which the works should be carried on. Notwithstanding the astounding news from Europe, fearful and awful as it was, he questioned if any great works would be arrested by it. He thought England had taken up a proper position in the matter—that of strict neutrality, and her colonies should be guided by the same policy. He would again say that it would be wise to enable the Government to proceed with the works. Those were the reasons which had induced him to vote for the Bill. He did so with the strictest impartiality of mind, believing that it was an

advisable course to adopt for the advantage of the entire Colony.

Mr. DIGNAN did not know what object was to be gained by the proposed adjournment. Honorable members should at once fairly and deliberately consider whether it was advisable to pass the Bill or not, and not be wasting time. The Bill had been brought in to provide for what had not been provided for by past legislation of the House—to provide for an unforeseen contingency. It was merely a matter of pounds, shillings, and pence, and the Government had given a guarantee to the House that they would not incur increased liability in regard to interest, and that they would not undertake public works except within a certain limit. It would be much better for the House to grant the Government permission to carry out the works which they had agreed should be done until the House next assembled. He would support the Bill and oppose the adjournment, and he hoped the country would justify the adoption of such a course.

Mr. MCGILLIVRAY thought the Government should be granted the means of carrying out their scheme. There appeared to be no alternative between the passing of the Bill before the House and the abandonment of the scheme. Nothing would be gained by delay, and he would oppose the adjournment.

Mr. STAFFORD agreed with those honorable members who stated that no object would be gained by an adjournment. He did not believe that a Bill so plain and explicit required much time for consideration. It was not like a Bill containing many clauses, the meaning of which could not at once be fully ascertained. The proposal of the honorable member for Avon, to add a schedule to the Bill, did not, in his (Mr. Stafford) opinion, possess any advantages. They must leave sufficient discretion to the Government as to what works should be first proceeded with and what works should be postponed. He did not agree with the last speaker, who stated that the temporary postponement of a scheme necessarily led to the postponement of it. His memory went in the opposite direction as to precedent. He could recollect a great many schemes which had been postponed for a time and subsequently proceeded with. The proposal amounted to this: whether the whole of the money asked for by the Government was necessary or not. From what had been said it was not made to appear that all the money was necessary, but that was a question to be debated when the clauses of the Bill were being considered in Committee. Even the honorable member who had moved the postponement did not go so far as to say that there was not a portion of the Bill which it was not necessary to adopt. They must find money for defence purposes; they must not altogether stop the progress of communication with the Native population; and they must make some roads through the North Island, which were in progress at the present time. He quite agreed with the Colonial Treasurer, that it was imperative to push on the North Island telegraphic extension, so as to have communi-

cation by telegraph throughout the whole Island. He did not, however, think that the whole of the money should necessarily be obtained at a high rate of interest. They should not borrow money at a high cost to extend the telegraph from the post office at Nelson to the port at Nelson, or from the post office at Wellington to the lighthouse at Wellington; nor did he see the necessity for the Middle Island telegraphic extension, unless it could be carried out by money borrowed at the usual rate of interest. The Middle Island had already a system of arterial communication, with considerable branches to the West Coast and the Otago gold fields, and to borrow money at a high cost to make a few fancy additional lines would not be a warrantable transaction at the present moment. The North Island telegraphic extension should be completed most thoroughly, and particularly the principal ports should be brought into communication with each other so long as the present war lasted. It being the opinion of the Committee that it was only a question, not of principle but of amount, he could not see that any good could be gained by an adjournment, and he intended to vote against it. He would be prepared, in Committee, to propose a resolution which would diminish the whole amount sought to be raised, and he would also propose a change in the form of loan. He did not think that it would be proper to pass the Bill in its present shape, or that they should have for a long period to pay a high rate of interest for the money borrowed. If they had to pay a high rate of interest let it be on short-dated debentures, which would ultimately be replaced by the ordinary form of loan. He would be prepared to make the amendments indicated when the Bill was in Committee.

Mr. ROLLESTON asked the Colonial Treasurer whether some arrangement could not be made in the Colony for obtaining from the banks a proportionate amount of the sum required on reasonable terms. He did not know on what terms the Government got money from the Government banks, but it was obvious that it would not be in the power of one bank to give the amount of advance required by the Government. He would ask the honorable gentleman whether he had taken any means to ascertain whether the other banks would not combine for the purpose of assisting the country. It was obvious that such institutions had great interest in the credit of the Colony, and it seemed probable they would, under the circumstances, combine together to assist the country.

Mr. VOGEL said it was awkward for honorable members to ask the Government questions with reference to matters of pure administration, and it was not desirable that such a question should be asked. He might inform the honorable member that he had made an overture to one of the banks. He agreed with the honorable member for Timaru, that it was not desirable to carry out the whole of the telegraphic extension at once, upon money borrowed at a high rate of interest. Some of the lines were in progress, and he did not know whether they could be stopped. It

would be very desirable to proceed with the telegraph extension to New Plymouth and other lines in the North Island. The sums he had put down were:—Balance of Southland debt, £50,000; repayment of advance to treasury for construction of North Island roads, £25,000; payment of loan allocation, £35,000; repayment of advance for Wanganui Bridge, £15,000; telegraph extension, £40,000; North Island roads, £40,000; purchase of land in the North Island, £15,000; surveys for railways and road purposes, £25,000; defence purposes, £180,000; these amounts making a total of £425,000, leaving a margin of £75,000. The questions with regard to the rate of interest and securities should be left to the discretion of the Government. They were not unmindful of the fact that they might have to undertake some responsibility out of the ordinary revenue; they might have to order arms and ammunition which would not come out of the money voted for defence purposes. The House might rest assured that the sums voted would be sacredly applied to the special purposes for which they were voted. He trusted the honorable member would not press the amendment to reduce the amount. The Government had fixed the amount at the lowest possible figure. They could not know what contingencies they might have to deal. Should the war continue, the rate of interest might be very high, and the rate of exchange would rise to an enormous extent, involving heavier expense. If the debentures had to be negotiated at home, the rate of obtaining the money would be very high. If the amount to be borrowed were increased, there would be less likelihood of the House being called hurriedly together again. The Government would be willing to accept a restriction as to the term of the loan being placed in the Bill. If they had to pay a high rate of interest, a period of twelve months would be the utmost limit the debentures would be allowed to run, but if the interest to be paid was not higher than 6 per cent., the debentures might be left to run for a longer period. If it were not thought desirable to adjourn they might proceed with the consideration of the question.

The motion that the Chairman do now report progress and ask leave to sit again was negatived.

The resolution was agreed to, reported to the House and agreed to, and leave given to introduce the Bill.

The Bill was brought in, read a first and second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

IMMIGRATION AND PUBLIC WORKS LOAN BILL.

This Bill was returned by the Governor, with the following amendment for the consideration of the House:—That clause 19 should be amended to read as follows:—

"In the event of the Imperial Parliament having passed or passing any Act to guarantee any loan raised by the Colony of New Zealand for all or any of the purposes for which the loan authorized to be raised by this Act may be applied, the

Governor may raise any portion of the loan authorized to be raised by this Act with such guarantee, upon and subject to all or any of the terms, conditions, and stipulations expressed in such Act of the Imperial Parliament; and all sums (if any) which the Lords of Her Majesty's Treasury shall be called upon to pay by reason of such guarantee shall be charged upon the consolidated fund of New Zealand. The Governor may enter into such contract or arrangement as he may think fit with the Lords Commissioners of Her Majesty's Treasury in England with regard to any such portion of this loan and the guarantee thereof, and in and by any such arrangement or contract the Governor may fix the order of priority of charge on the consolidated fund of New Zealand which the loan so guaranteed, or any part or parts thereof, shall take with relation to any other part or parts of the loan authorized to be raised under this Act or any other Act passed during the present or any subsequent session of the General Assembly, and in and by such arrangement may provide for the transmission to England and investment of the sinking fund (if any) of the loan so guaranteed; provided that such contract or arrangement be not inconsistent with the purposes for which this loan is authorized to be raised."

The House resolved itself into Committee of Ways and Means, for the consideration of a further amendment to the Bill.

Mr. VOGEL moved, That in the opinion of this Committee, it is desirable to make further provision in the Immigration and Public Works Loan Bill, in respect to the proposal to arrange for an Imperial guarantee of a portion of the loan.

The resolutions were agreed to, reported to the House, read a second time, and agreed to.

The House went into Committee upon the Bill, in order that it might be amended in accordance with the terms of the resolutions.

IN COMMITTEE.

Mr. CARLETON said he entertained doubts as to whether the Committee could go into the consideration of amendments upon a message from the Governor. He believed that they had only power to negative or affirm the messages sent down, and he therefore suggested that progress should be reported, with a view to getting the ruling of the Speaker upon the question.

Progress having been reported,

HOUSE RESUMED.

The SPEAKER said it appeared to him that there was no difficulty about the question. The practice of the House—and no question as to the practice had up to that time been raised—had been to deal with amendments sent down by the Governor with perfect freedom. They had been amended on more than one occasion. It was absolutely necessary, if the House were to possess the full functions of a Legislature, that it should possess that right. According to section 55 of the Constitution Act, it was lawful for the Governor to transmit, by message, to either the Legislative Council or the House of Representatives, for their consideration, the drafts of any laws which

it might appear to him desirable to introduce. When those drafts of laws were sent down it was not to be supposed that the House had not perfect freedom to deal with them. By clause 56 there was power given to the Governor to return to the House, with amendments, any Bills that had been forwarded to him for assent, and the words used in the Constitution Act in this clause were the same as those used in reference to drafts of laws forwarded. These amendments of the Governor had been sent to the House of Representatives, and the consideration of such amendments, it was laid down by the clause, were to take place in such convenient manner as should, in and by the rules aforesaid, be in that behalf provided. If it were to be a rule that the Governor's amendments could not be amended, it would amount to this: that the legislation of that House would be absolutely in the hands of the Executive Government of the day. Every one was aware that responsible government was not provided for in the Constitution Act; still, it could be read from a responsible government point of view, and, having accepted it in that light, it was their duty to read it in that way. If they read it in an opposite way, and held that the Governor's amendments could not be amended by them, the Ministry of the day could impose any legislation they thought proper upon the country. It had absolutely been the practice of the House to deal with the Governor's messages, and amend them as they thought proper.

The House then went into Committee upon the amendments, which were reported, agreed to, and the Bill read a third time, and passed.

APPEALS FROM PROVINCIAL RATING BILL.

The House went into Committee to further consider this Bill.

Mr. HALL moved that the Chairman do leave the chair.

Motion agreed to.

DEPUTY SUPERINTENDENT OF WELLINGTON BILL.

Mr. BRANDON moved for leave to introduce a Bill to enable the Deputy Superintendent of Wellington to fix the time and place for holding the next session of the Provincial Council of Wellington. The Constitution Act provided that the Superintendent should summon the Council together at least once in every year, so that a greater period than twelve months should not intervene between the last sitting of the Council in one session and the first sitting in the next session. This was not one of the duties delegated to the Deputy Superintendent by the Superintendent Deputy Act. As the Superintendent of the Province was at present absent from the Colony, discharging duties as a commissioner, and the exact date of his return was uncertain, the Bill would give power to the Deputy Superintendent to convene the Council by proclamation in the Provincial Gazette, and fix the time for holding the next session. The Bill would not give power to appropriate any money, or other-

wise discharge functions which were vested in the Superintendent alone under the Constitution Act. Should the Superintendent not be in Wellington when the Council assembled, it was the intention to prorogue the Council until his return.

Leave was granted. The Bill was brought in, read a first and second time, considered in Committee, reported without amendment, read a third time, and passed.

MOUNT BENDER PETITION.

Mr. BROWN, in moving the motion standing in his name, said it would be recollected that a number of petitions had been presented from the inhabitants of an important part of the Province of Otago. The petition from the residents of Mount Benger had been referred to the Waste Lands Committee on the 24th of August, and he had been anxiously looking for the report of the Committee. As the session was so soon to be prorogued, he felt it to be his duty to bring the matter under the notice of the House. Last session, four or five petitions had been presented and referred to the Waste Lands Committee, and the Committee, after having considered them, brought down a Bill to give effect to the prayer of the memorialists. The petition of the Mount Benger inhabitants was equally deserving of consideration, and ought not to be shelved. The petition had been bandied about from one Committee to another. One Committee reported that it should be referred back to the Provincial Council of Otago; another Committee recommended that the prayer of the memorialists should be granted; another Committee had reported that the principle of free selection should be adopted in the disposal of the waste lands. If that was the opinion of the Waste Lands Committee, he thought it would be competent for them to bring in a Bill to give effect to such a recommendation. The Committee should be instructed to do its duty. The evidence that would be required was procurable from honorable members of the House. The petitioners had certain grievances, which should be remedied, as to the settlement of the land, and they had made a specific charge against a provincial officer of Otago. It was only fair towards the petitioners that the House should give some consideration to their memorial.

Motion made, and question proposed, "That, in the opinion of this House, it is desirable that the Waste Lands Committee take into consideration the petition of 185 residents of Mount Benger, and report thereon."—(*Mr. Brown.*)

Mr. FOX moved that the petition be considered that day three months.

Mr. MERVYN said the petition had been before the Waste Lands Committee, but, by some error, it was not included in the report as intended.

Mr. MACANDREW did not see any reason why the Waste Lands Committee should not report upon the petition before the time for prorogation.

Mr. CRACROFT WILSON, C.B., said it seemed rather strange that any Committee called upon to consider a petition and report upon it,

should be bound to introduce a Bill into the House. He did not think that was a duty that belonged to a Committee.

Mr. W. WOOD wished to be informed by the Speaker what course should be taken with regard to a Committee that had failed to report upon any petition referred to it.

The SPEAKER said the Committee was bound to carry out the purpose assigned to it by the House. It was the duty of the Committee to make a report upon a petition referred to it, and if it did not do so it was liable to be censured.

Mr. LUDLAM explained that the Waste Lands Committee had considered the petition in question, and had come to the same conclusion with regard to it as they did with reference to three other petitions, but, through some error on the part of the Clerk of the Committee, the report had not been drawn up and presented to the House. The honorable member could, therefore, ascertain the mind of the Committee with regard to the petition, by referring to the reports on the petitions to which he had referred.

Mr. FOX withdrew his amendment.

Mr. HAUGHTON thought that the explanation of the honorable member for the Hutt was far from satisfactory. It was well known that the petitions sent before that joint Committee had been dealt with on theoretical grounds, without any inquiry into their merits. He hoped it was the last session that they would have this farce of a joint Committee.

Mr. MAIN hoped that a petition emanating from 185 settlers in a very important section of the Colony, would not be passed over in that silent manner. He thought there was sufficient time left to take the petition into consideration before the House was prorogued, so that the petitioners might get an answer to their memorial. Notwithstanding the explanation of the honorable member for the Hutt, he had been informed that the petition had never been before the Waste Lands Committee; and he saw no reason why the Committee should not meet, take the petition into consideration, and report upon it.

Mr. BROWN, in reply, said it had been asserted by two or three members of the Waste Lands Committee that the petition had been before them; but he held in his hand a report of that Committee on the matters brought before them for consideration, and which was entirely silent on the subject of that petition. If the honorable member for the Hutt had read that petition, he would have seen that the allegations and the facts were entirely different from the other petitions to which he referred. It was five weeks since the petition was presented to the House; about three weeks ago it came before the House from the Gold Fields Committee. The House then instructed the Waste Lands Committee to take it into consideration; but their report upon it had not been presented to the House. He thought that those persons, when they presented a petition to the House, had a right to expect that it should be taken into consideration.

Motion agreed to.

RAILWAYS BILL.

On the motion of Mr. VOGEL, the amendments made by the Legislative Council in this Bill were disagreed with, and it was resolved that a conference be requested with the Council on the subject, Mr. Hall, Mr. Curtis, and Mr. Vogel to be managers on behalf of the House.

The SPEAKER subsequently announced that he had received a message from the Legislative Council, asking for a free conference on the subject of their amendments in the Railways Bill.

Mr. VOGEL reported, after the conference had been held, that the conference had been unable to agree on the subject of the amendments made by the Legislative Council in the Bill.

The SPEAKER announced that he had received a message from the Legislative Council returning the Railways Bill, and requesting to be informed whether or not the House of Representatives still persisted in disagreeing to the amendments made by the Legislative Council in the said Bill.

Mr. VOGEL said it was evident that no agreement could be come to with the other branch of the Legislature, and it seemed to him that the only course left open was for the House to rescind the resolution it had come to the other night, and accept the amendments of the Council. The Government had anxiously endeavoured to get the amendments rescinded; they had been met with not very frank efforts—in fact, he might say, an effort was made rather to throw the Bill out than to get it amended—and the consequence had been that no fresh conference had been moved for. He would propose that the House rescind the resolution it came to, and accept the amendments of the Legislative Council.

Mr. BUNNY could not agree to rescind the resolution which the House had arrived at. It would not be wise for them, if they wished to put before the eyes of the world the fact that they were prepared to enter upon large colonial works, to say that the result of their deliberations and views upon what colonial works should be, was simply a Bill carrying out railway works in the Province of Otago, a small line between Pieton and Blenheim, and some few miles between Auckland and the Waikato. He thought it would be much better for them to disagree with the amendments, although, by so doing, the Bill should be lost for the present session. The Government had, under the Immigration and Public Works Act, ample powers to do all that the majority of the House desired should be done, namely, that they should take the proper course to ascertain what lines should be considered colonial lines, and that they should get those lines surveyed, and come down at the first session of the new Parliament with a request for authority to construct them. Looking at the news which had lately arrived from Europe, they ought to pause before giving authority for the actual construction of any lines of railway. Some of the Provinces were in a position to carry out their works independently of the Assembly, and, therefore, any decision they might arrive at could not impede the operations of those Provinces in that direction. Look-

ing at their Native difficulties, it was an unwise act for the General Assembly to confine its operations, in the shape of railways and public works, simply to that part of the Colony in which no such difficulties existed. The Premier had told them the other night that, up to very recently, his views had been the same as those held by himself (Mr. Bunny) and his honorable friend the member for Wellington City (Mr. Borlase).

Mr. FOX explained that what he said was that in the earlier stages of the proposition before the House, when the Northern Island railways were altogether excluded from the Bill, he did agree with the honorable member that it was right that they should have the guarantee of the Government that those railways should form part of the system of railways which the Government were about to carry out, but as soon as the Government consented to insert the Wellington railways in the schedule, he differed from the honorable member.

Mr. BUNNY was very glad to accept the explanation of the Premier. It appeared to him, with regard to the position of the North Island railways in the Bill, that they would be postponed for an indefinite period. He trusted that the Government would, next session, shut out from any proposals they might make, any consideration, as to the Provinces, of their financial position. If they were going to enter into colonial works, let them be thoroughly colonial, and free from all provincial element, and do not let them shut out the finest part of New Zealand from participating in the benefits of any of their schemes, simply because they were not in a position to guarantee the interest necessary. The scheme had not received full and ample consideration at the hands of the House, and he believed that there was hardly a member, except those members from the Provinces respectively which were benefited by the scheme, that had the slightest idea as to whether the plans were good or bad. They had had a lot of plans rolled upon the table of the House, but none could say as to whether or not they were correct ones. He hoped the House would adhere to the decision it had arrived at, to disagree with the amendment of the Council.

Mr. HAUGHTON thought it would have been much more satisfactory to the House if the honorable member who had just fatigued himself so much by his effort at oratory, had condescended to apply himself in some small degree to the question really before them. The question, as he understood it, was, whether a resolution which had been come to as a matter of form had not been misunderstood, and whether the House should rescind an opinion previously expressed. The honorable member for Wairarapa was taken with great indignation that they should enter upon these works at all. In his opinion they should confine themselves to making surveys; but what was the position taken up by the honorable member and his friends a few days ago? It was not possible to get near the door of the Colonial Treasurer's office for the deputations of the honorable member and his friends, who were clamouring for the construction of railways

through barren plains and inaccessible mountains. He made a rough calculation, and found that it would have taken half a million to prepare plans and surveys. Some honorable members were opposed to the Bill, not because they objected to the formation of railways in Otago, but they wished to throw it out because they could not get the railway carried to their own doors, and because they could not get cauliflowers carried down to Wellington at an expense of £500 each. He hoped the House would not stultify itself, after having the proposals of the Government under consideration for three months, by throwing out this Bill, which was the culminating point of the whole. After voting for all the other Bills, to throw out the Railways Bill itself seemed to him to be a great absurdity. He asked if honorable members could expect that all those railways could be commenced at once? While they had political divisions they must expect that the railways must commence in some one or other of those political divisions. They had had some difference with the other House about the railway gauge. He hoped that, however important a certain width of gauge might appear to be to honorable members from the Province of Canterbury, they would not throw out this Bill because they could not get their railways made of a certain width.

Mr. ROLLESTON said that the change of gauge was not so insignificant a matter as the honorable member seemed to think. The Province of Canterbury had a considerable extent of railway, and a large amount of rolling stock on hand, and a change of gauge would cost that Province, in the matter of rolling stock alone, some £100,000, and, in addition to that, there would be the expense of laying down a third rail over the present lines, which would cost probably £50,000 more. It was not an unimportant matter for the Colony to incur an expense of that kind at such a time as the present. He should not object to a change of gauge if there was a prospect of carrying what was called a grand trunk line through the Colony, but it would be many years before such a line would be carried out. The object of the railways at present was, not the creation of a main trunk line, but to open up communication with the different parts of the Colony. He expressed his thanks to the Colonial Treasurer for the manner in which he had acted in this case. The difficulties which had been presented by the action of the other branch of the Legislature in the conference were such as, to his mind, augured very ill for the success of a scheme of this kind.

Mr. CRACROFT WILSON, C.B., could not understand how men could attempt to do that in public life which they would not dare to do in private life. The course proposed by the Legislative Council was an interference with private arrangements. It was just the same as if they went to a man, who possessed a certain amount of property, on which he had erected a valuable plant which was exceedingly useful to him, and said to him, "You shall not use that plant, and we will not give you anything for it." Let the

Colony pay down to the Province of Canterbury the expense which this change of gauge would involve, and he would not object to the whole of the lines in the Colony made on the 3 feet gauge; but, until that was done, he for one would not consent to rescind the resolution which the House had come to.

Mr. BAIGENT thought that the Government should have proposed to levy a contribution of £5 or £6 a head on all the owners of property within a certain distance of the line, as their property would be increased in value by the line passing through it.

Mr. MOORHOUSE did not think it would be fair, after the action he had taken in this matter, to give a silent vote. He had acknowledged in his place, publicly, that he was not favourable to the Bill. In deference to Ministers and an evident majority, he had not wasted time by offering opposition to it during its progress through the House. His objection to the Bill was that it was unnecessary, that it was premature, and that the Government had not had time to acquire a knowledge, for themselves, of the condition of the country; that it was impossible, in fact, that Ministers, members of this House or in another place, could be sufficiently informed on the subject to know whether the works sanctioned by the Bill were necessary or not. But the Bill as amended by the Legislative Council did not suit him at all. It appeared to him that the Bill as amended was forcing upon His Excellency's Government a course of wilful waste. He was not prejudiced in favour of the 3 feet 6 inch gauge, nor had he any partiality for any particular gauge: that was a question which, if he had any responsibility in the matter, he should refer to competent engineers, and should be mainly influenced by their scientific opinion on the subject. In Canterbury they had already a considerable extent of railway made—a first-rate railway with a first-rate plant, which was doing the work exceedingly well, and in a manner satisfactorily meeting the public wants. With respect to the restrictions imposed by this Bill as amended, it appeared to be assumed that, after the passing of the Bill, it would be impossible for the Province of Canterbury to go on with the construction of the northern portion of the line on a gauge corresponding with the lines already at work. He, however, did not concur in that opinion. He thought it exceedingly probable that the line would be extended northwards on the present gauge. His opinion was that the adoption of the last clause of the amendments of the Legislative Council would entail a shameful waste, not of provincial money, but of those resources of the Colony which the Province of Canterbury, in common with other Provinces, held in trust for the general public. He would not allude, at length, to the extreme folly of making provincial charges such as those mentioned in this and other Acts. He hoped the intelligence of the Government would soon cure that matter, and that, under the hand of the Colonial Treasurer, these charges would shortly disappear. Provincial charging was a very ridiculous fiction, quite as ridiculous as some

of those exploded legal fictions which so amused the laity. What he would suggest to the House, and to the Government in particular, was this: that these amendments be not concurred in, but that an endeavour should be made to procure the assent of the Legislature before it was too late to exempt the northern portion of the Canterbury line from the operation of this Bill. There was £100,000 worth of valuable plant in good working order upon that line, and which was capable of doing five times the work it did at present. The present rolling stock would be worn out before the line to Picton could be constructed. It would be a waste of public money to go to the expense of reforming that line, and changing the gauges, and purchasing the corresponding plant, at the present time. He began to feel very uneasy about the success of the main scheme of the Government, when he saw how completely the general administration was to be torn to pieces by provincial scrambling. He should feel it to be his duty to vote adversely to Government, on this occasion, notwithstanding his great regret.

Mr. HALL had stated on a former occasion, when the Bill was under discussion, that, the House having affirmed the principle of the Government scheme, he felt bound not to refuse to the Government the means of setting their machinery in motion. But this Bill, as now amended, when it was closely looked at by honorable members, in a fair, impartial, and candid spirit, must be admitted to be so exceedingly unreasonable, so unjust as between the various parts of the Colony, that he thought that any person who wished to hold fairly the balance between the different parts of the Colony, and especially those who had listened to the observations of the last speaker, must come to the conclusion that the Bill could not be accepted in its present shape. The Bill was referred to the conference, when to some portions of the amendments an agreement was arrived at; but with regard to the other portions, there was not the slightest desire to make any concession at all. The part to which he objected was the following:—

“No railways constructed under the authority of this Act, or ‘The Immigration and Public Works Act, 1870,’ shall have a greater width between the rails than 3 feet 6 inches: Provided always, that the railway from Christchurch to the Rakaia River may be constructed with a gauge of 5 feet 3 inches.”

It occurred to him whether that was not a breach of the Standing Orders of this House. This House had passed a Bill in which it was stated that the railway was to be constructed on a certain gauge, except in the Province of Canterbury, where a 5 feet 6 inch railway was in existence. The Bill passed this House, and amendments were introduced in another branch of the Legislature, by which this House was asked to go in the face of its own resolution which was passed the previous day, and in the face of the Railway Gauge Bill, which they passed unanimously. That amendment of the Legislative Council not only laid down what should be done during the current year, but it was also a permanent amend-

ment on the Immigration and Public Works Bill. It said that no railways should be constructed under the Immigration and Public Works Bill. It was a question whether that was admissible in a Bill of that kind at all. But apart from that technicality, there they had an amendment which would have the effect of doing away with railway enterprise altogether. The Canterbury railways, in spite of the difficulty of constructing a tunnel a mile and three-quarters in length, had proved a remarkable success, owing to the careful manner in which they were constructed and worked. They had a very large amount of rolling stock, which cost not far short of £100,000. They were asked to make a branch line, which was to be made, not out of the funds of the Colony, and which was to be fourteen miles in length, to the township of Rangiora. The proposal amounted to a wicked and most wanton waste of the money of the Province of Canterbury. It would interfere not only with the working of the lines in conjunction with any others that might be constructed, but would render their rolling stock useless. It was urged on the other side that it was necessary to have the narrow gauge with a view to having uniformity in that respect throughout the length of the Island. If he believed that there was the least likelihood of the railway system extending so as to come into conflict with the gauge on the Canterbury lines, he would give way and allow of such a waste of capital. But they were not likely to see that accomplished in their lifetime. It would be at least ten years before they could join it to any of the Southern lines. He would be prepared, when the lines from the North to the South joined, to lay down a third rail, so that the trains might run without interruption. As the Bill stood, the proffered assistance to Canterbury was a mere mockery, and he did not believe that the Province would accept it. He agreed with the honorable member for Wairau, that the Bill secured advantages to one portion of the Colony only. He might say that all the members from the Province were united in their views upon the Bill. They had made every possible concession, but they found no disposition to meet them. He would therefore vote against the motion.

Mr. FITZHERBERT deprecated the remarks of the honorable member for Hampden with respect to the deputation of which he was chairman, and which had waited on the Colonial Treasurer. He was sure he would be borne out in stating that there was nothing importunate or unseemly in their conduct; they stated their views, which were not accepted, and they retired. It was not from anything which had been urged by the honorable member for Hampden that he would record his vote. He considered that it would be most unfair to Canterbury if the Bill in its present form were agreed to. A large quantity of plant had been ordered from England, and was then actually *in transitu* for the railway in Canterbury, which would be rendered utterly useless if the amendments of the Legislative Council were agreed to. He thought the remarks of the honorable member for Christchurch and of the honorable member for Heathcote were

deserving of consideration, and he would, therefore, vote against the motion.

Mr. VOGEL did not wish to detain the House by any further discussion upon a Bill that had been already so well ventilated. It was most desirable that the Bill should pass, because it would be expedient to establish the principle that the question of public works could be dealt with in the Assembly, irrespective of local jealousies, which, not unnaturally, gentlemen brought up with them from the different parts of the Colony which they represented. Few honorable members could realize the enormous difficulties which had surrounded the Bill from the first. Did the Bill fall through, he thought that there would be little guarantee that the local jealousies which had been brought to bear would not be too strong to permit of the question being dealt with in a manner that the House and the country could approve of. He believed that if the Bill passed, and that the condition of the money market became favourable, they would be able to make arrangements for the construction of some of the railways, and go on with the surveys of others, so that by the time the House reassembled, they would be in a position to construct a greater number of lines than they were then authorized to undertake. If that Bill were thrown out, it would be a rash proceeding, no matter what authority was conveyed under the Immigration and Public Works Bill, to go on even with the surveys of lines, as much apprehension would exist with regard to carrying Railway Bills through the House. He admitted that there was a great deal of truth in what had been stated by the honorable member for Coleridge, as to the hardship that would be inflicted upon the Province of Canterbury by the passing of the Bill, inasmuch as that Province had instituted a railway system of its own, which it had worked admirably, but the gauge of which was different from that proposed by the Bill. He had done his best to remedy the evil, but had been unable to do so. The Government were of opinion that the case of Canterbury was one which might fairly be considered by the House next session. It was a case in which it would not be fair that the expense of the alteration in the gauge should fall upon the Province, and it would be for the House to consider what compensation should be given under the circumstances. He regretted that the Bill, in its altered form, did not deal with Nelson Province as he could have wished. He had exerted himself to the utmost to have the amendment restricted, but he had been unable to do so. The Government would do its best to evade the difficulties thrown in the way, and to enable the scope of the Bill to embrace the Province of Nelson.

Question put, "That the vote of this House, by which it disagreed with the amendments made by the Legislative Council in the Railways Bill, be rescinded, and that the amendments of the Legislative Council be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	15
Majority for	...	...	...	...	9

AYES.

Mr. Baigent,	Mr. McGillivray,
Mr. Brown,	Mr. McLean,
Mr. Carleton,	Mr. Mervyn,
Mr. Carrington,	Mr. O'Rorke,
Mr. Clark,	Mr. Parker,
Mr. Creighton,	Mr. Swan,
Mr. Dignan,	Mr. Vogel,
Mr. Eyes,	Mr. Williamson,
Mr. Fox,	Mr. W. Wood.
Mr. Haughton,	
Mr. Kelly,	<i>Tellers.</i>
Captain Kenny,	Mr. Curtis,
Mr. Main,	Mr. Driver.

NOES.

Mr. Barff,	Mr. Studholme,
Mr. Brandon,	Mr. Tancred,
Mr. Bunny,	Mr. Taylor,
Mr. Fitzherbert,	Mr. Wells,
Mr. H. S. Harrison,	Mr. J. C. Wilson, C.B.
Mr. W. H. Harrison,	<i>Tellers.</i>
Mr. Kynnersley,	Mr. Hall,
Mr. Ludlam,	Mr. Moorhouse.

PAIRS.

For,	Against,
Mr. Macandrew,	Mr. Richmond,
Mr. Rich,	Mr. Edwards,
Mr. Gillies,	Mr. Munro,
Mr. Macfarlane,	Mr. Collins,
Mr. Bradshaw,	Mr. Borlase.

The motion was consequently agreed to.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced that he had received the following messages from the Legislative Council:—

That they had agreed to the amendments proposed by the Governor in the Provincial Acts Validation Act Continuance Bill.

That they had passed the Deputy Superintendent of Wellington Bill and the Temporary Loan Bill without amendments.

That they had agreed to the report of the conference on the Provincial Acts Validation Act Continuance Bill.

That they had agreed to amendments proposed by the Governor in the Immigration and Public Works Loan Bill.

That they had passed the Appropriation Bill (No. 2), and returned it as one of their Bills of Supply.

The House adjourned at twelve o'clock, midnight.

LEGISLATIVE COUNCIL.

Tuesday, 13th September, 1870.

Canterbury Gauge Bill.—Library—Mount Benger Petition
—Prorogation.

The Hon. the SPEAKER took the chair at half-past eleven o'clock.

PRAYERS.

CANTERBURY GAUGE BILL.

This Bill was received by message from the House of Representatives, and read a first time.

The Hon. Mr. GISBORNE, in moving the second reading of the Bill, said that he felt that he was justified in doing so under the special circumstances of the case. There were circumstances connected with a special claim to justice on the part of the Province of Canterbury, with respect to the gauge of her railways. The Railways Bill which had been passed on the previous day had really the effect of inflicting a heavy loss on that Province, besides preventing the railway north of Christchurch being extended. She had already ordered rolling stock and other material which would not be suitable for a narrow gauge. The Bill proposed to remedy that grievance by authorizing a broad gauge line to be continued between Addington Station and the town of Rangiora, upon condition that, wherever the Governor in Council considered it desirable, in order to connect the Canterbury lines with the rest of the Island, north and south, he might cause a third rail to be laid down at the cost of that Province. Thus, the Province would be paying for both a broad and a narrow gauge. He thought that it was not asking for very much on the part of the Province, and, under the circumstances, the Council would probably be disposed to accede to the request. He would appeal to the honorable members of the North Island, because he thought this Province had a special claim to their consideration. On the previous evening, the Middle Island had not only waived all its claims for the immediate continuance of the public works under the Immigration and Public Works Loan Bill, but had allowed special works of the same character to be constructed in the North Island, and had also authorized the Governor to increase the rate of interest upon debentures, in order to procure money for the construction of those works. He thought that that conduct on the part of the Middle Island members was in the highest degree instructive. He would not dwell longer on the subject, for he fancied that he saw the repentant tears of remorse in the eyes of his honorable friend Mr. Stokes, and other honorable members from the North, who, when the Railways Bill was under consideration, sided with that honorable gentleman in showing an unjust, cruel, and unnatural distrust. He hoped that those honorable members would give practical proof of their repentance by voting for the second reading of the Bill.

The Hon. Mr. HOLMES would oppose the second reading of the Bill. He considered that it would be regarded in the future as the Canter-

bury *coup d'état*—an attempt to snatch a different verdict, on the spur of the moment, to that which had been agreed upon by the Council after full deliberation. It was an undue interference with the rights of the Council to attempt to get a reversal of the decision which had been previously arrived at. The Hon. the Colonial Secretary said that he considered that an injustice had been done to Canterbury. He looked at it from a different point of view. It was an injustice to the whole Colony to attempt to establish a system of railways which must, of necessity, be extended by the time they were finished, and at a cost double that which was required for the ordinary wants of the country. It was assumed that the Province of Canterbury would be in a position to make the changes contemplated by this Bill when they were required; but when that time arrived there would be no Province of Canterbury, there would be no Provinces at all. The very fact of railways being made would do away with the Provinces, and it would be the Colony which would have to make the changes. He would, therefore, move that the Bill be read a second time that day six months.

The Hon. Mr. ROBINSON would second the amendment, because he considered that the matter was already legislated upon. He could not see that any injustice had been done to Canterbury. He had heard that the rolling stock in that Province was not sufficient for both of the new lines, and that the extension of the line to the Rakaia would absorb nearly the whole of the rolling stock. If the line were laid down at a 5 feet 3 inch gauge to Rangiora, and the people were afterwards asked to continue it upon a 3 feet 6 inch gauge, they would say that it would be much cheaper to extend it on the 5 feet 3 inch gauge. It could not be said that the Province would suffer in any way, because it would be able to make double the length of line if the gauge were fixed at 3 feet 6 inches. The Hon. the Colonial Secretary had appealed to the Northern members, but he would ask what had the North Island got? In the great scheme which had been passed, the North Island had been left out entirely. The Bill was a surprise to the Council.

The Hon. Mr. SEWELL said that the Bill seemed to be misunderstood,—he would not say misrepresented—but, so far from its being a surprise upon the Council, its object was only to carry into effect the one point upon which the whole Council was agreed. It had been urged that, if the line were constructed at a 5 feet 3 inch gauge, it would be easy to reduce it to a narrow gauge by laying down an additional rail. This was the object of the Bill. It would have the effect of saving about £100,000 to that Province. If they imposed upon the Province of Canterbury the necessity of adapting its railway system to the 3 feet 6 inch gauge, they would impose upon that Province an immense loss: honorable gentlemen seemed to forget that a loss to the Province would also be a loss to the Colony at large. The Bill provided that this change of gauge, which was insisted on for the benefit of the Colony, was to be paid for by the

Province. During the present session two Bills had been passed, by one of which they had authorized the construction of a railway, in the Province of Canterbury, upon the broad gauge system. The Province was about to prosecute its works under that Bill, and now the Council had inadvertently,—for he could not attribute it to anything else but an act of inadvertence,—frustrated their own legislation, and necessitated the Province adopting a 3 feet 6 inch gauge. The Government proposed to remedy that inconsistency, to remove a defect in their legislation, and enable the Province of Canterbury to take advantage of those powers which the Legislature had vested in it.

The Hon. Mr. McLEAN said he intended to support this Bill; in fact, he could not avoid doing so, because, on the day previous, as one of the managers appointed by the Council, he endeavoured to arrange matters between the representatives of the two Houses, and this Bill, he might say, embodied the very proposition which he had himself thrown out as one of the modes of settling the dispute. The other two gentlemen who were appointed as managers with him dissented from the proposition which he made. He, nevertheless, had been satisfied to rely upon the sense of justice entertained by the Council; he believed they would be prepared to deal out justice to all parties, and if it were found, even at the eleventh hour, that an injustice had been perpetrated, the Council should step in and rectify it. It had been argued that the expense of altering the gauge would fall upon the Colony; but was it not also true that, if they stopped Canterbury from doing this, a loss would still fall upon the Colony? He had himself introduced the very clause under which this difference arose, but had he known at the time that the result would have been what it was, he would have hesitated before making the proposition, and he would certainly have made provision for it in the clause. He might say, however, that he considered the people of Canterbury were themselves to blame for not having made the Legislature aware of the advanced state of the works. The Government of the Province, in order to enable them to use the rolling stock in their possession, were prepared to make an alteration in connection with their line of railway, which would meet the convenience of the Colony when the time arrived. He should support the second reading of the Bill, reserving to himself the power of proposing any modifications which he might deem necessary when the Bill was being considered in Committee.

The Hon. Mr. J. P. TAYLOR remarked that however much he might regret that the Bill had been introduced at so late a period of the session, he could not, after all that had taken place, oppose its second reading, for the Bill was, in effect, very much in accordance with the ideas he expressed in Committee. But there was another reason why he would not oppose the Bill. A Gauge Bill had been deliberately thrown out by the Council, and yet a fixed gauge was introduced again in a very irregular manner. He considered, therefore, the gauge could not be regarded as fixed.

The Hon. Mr. STOKES said he felt disposed, on general grounds, to oppose the Bill, introduced, as it had been, within a very short time of the prorogation of Parliament; but under the special circumstances of the case, and after the very touching and personal appeal which had been made to him by the Hon. the Colonial Secretary, he should vote for the second reading. Although it had been laid down that the gauge should not exceed 3 feet 6 inches, it had not been provided that that was to be the uniform gauge throughout the Colony. If Canterbury adopted the 3 feet 6 inch gauge, they might afterwards find that a much smaller gauge should be used, and therefore, in altering the gauge, a heavy burden might be thrown upon the Province; but as it appeared that Canterbury would alter the gauge at its own cost, he should, for this and other reasons, feel disposed to support the Bill.

The Hon. Mr. BUCHANAN also stated that he would support the Bill.

The Hon. Mr. MANTELL said he should support the amendment on grounds different to those which had been urged by various other honorable gentlemen. He thought it would be a pity to inflict a prospective charge upon Canterbury. If the Colony chose to impose a narrow gauge upon Canterbury, it would be quite right that the Colony should pay the cost, and not make it a charge upon the Province.

The Hon. Colonel WHITMORE, C.M.G., said he was very glad to notice that the remarks made by the Hon. the Colonial Secretary had not been echoed by those gentlemen who came from the Middle Island. He did not entertain any suspicions with regard to the Southern Island, although, upon that occasion and on many others during the session, they had that taunt thrown in their face, particularly from the Government benches. He believed that the Northern Island members of the Council were not actuated by any feelings of antagonism to the South Island. He had always recognized the fact that the Southern Island had assisted the North Island in its time of need, and in like manner, if the present European war should assume a maritime character, and if the Southern Island at any point were attacked by privateers, the North Island would be found prepared to give assistance. He would have preferred to have seen this question raised in the first Bill. Had it been brought forward when the Railway Gauge Bill was under discussion he would have been disposed to support it, but introduced in the manner in which it came before them, he regarded it as an attempt to overrule their action of the previous day. In its present shape he could not support it. He could not even consider the question upon its merits. The other branch of the Legislature had taken exception to the Railways Bill as it had left the Council; they had had a conference, which ended in nothing, and the House of Representatives had since rescinded their resolution and agreed with the amendments they had previously rejected. Now they had a Bill brought in to do away with the amendments that had been accepted. The question of rolling stock was one of some impor-

tance, and he took it for granted that the £5,000 per mile required for the construction of the proposed Canterbury lines included the rolling stock.

The Hon. Mr. GISBORNE said he was informed that it was not.

The Hon. Colonel WHITMORE, C.M.G., said in that case the line would be the most expensive in the Colony, and would be in enormous disproportion to the line proposed to be constructed from Dunedin, which was to run through a very difficult country. He understood that the rolling stock already procured would not do more than meet the requirements of the line to Rakaia, and it should not be forgotten that the importation of such an immense quantity of plant into the country, as would be required if the colonial gauge was fixed, would be likely to cheapen the expense of it.

The Hon. the SPEAKER said he wished to intimate to the honorable gentleman that the hour of prorogation had been fixed for 1 o'clock. If the debate were likely to be lengthened, it would be well to enable the Government to take measures for its postponement.

The Hon. Mr. GISBORNE said that the Government would not, of course, interfere by a *coup d'état* in interrupting the deliberations of the Council. If the honorable gentleman thought that, by continuing the discussion, he was likely to shelve the Bill, he was taxing unnecessarily the patience and wasting the time of the Council.

The Hon. Colonel WHITMORE, C.M.G., said that the honorable gentleman was mistaken. He had no intention to shelve the Bill by talking it out. He would be glad to see the point carried by those interested in Canterbury, if they were able, but he could not vote for the Bill.

The Hon. Colonel KENNY had taken no part in the discussion which had followed upon the amendments in the Railways Bill, and he had no difficulty in voting for the present Bill, inasmuch as it declared that it would not involve the Colony in any expense.

The amendment was negatived, and the Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

The Hon. the SPEAKER subsequently announced that he had received a message from the House of Representatives, stating that the House of Representatives had agreed to the amendments made by the Legislative Council in the Canterbury Railway Gauge Bill.

LIBRARY.

On the motion of the Hon. Mr. DOMETT, it was resolved that the members of the Library Committee resident in or near Wellington should manage the Library during the recess.

MOUNT BENDER PETITION.

The Hon. Mr. DOMETT brought up the report of the joint Committee on Waste Lands, on the petition of certain inhabitants of Mount Benger district, which was read, and ordered to lie on the table.

PROROGATION.

At one o'clock His Excellency the Governor entered the Council Chamber and took the chair.

A summons was forwarded to the House of Representatives, commanding the attendance of members in the Council Chamber, who being come with their Speaker,—

The SPEAKER of the House of Representatives said :—

MAY IT PLEASE YOUR EXCELLENCY,—

The present session of Parliament, now about to expire, has been distinguished by the large amount of time devoted to the consideration of measures calculated to advance the material resources of the Colony, and stimulate the efforts of peaceful industry. The nearly total cessation of Native hostilities has created, as was to be expected, an increasing feeling of confidence, and has led to a very general belief that it is desirable to resume the operations of colonizing enterprise which had either been interrupted or greatly diminished in amount. A comprehensive scheme of this nature was submitted by your Excellency's responsible advisers to the Legislature, and, after a careful and lengthy discussion, accepted by a large majority.

But though occupied chiefly upon this measure, the fruits of the present session are to be found in a large number of Bills which deal with and remedy various existing wants and defects. Among these which I may mention as measures of the first importance are—a Bill to facilitate the transfer of land, founded upon the well-known Torrens Act of South Australia; a Bill to readjust the representation of the people of the Colony; a Bill providing a new method of recording votes; and a Bill making fresh provision for the Colonial Militia. For the various purposes connected with the important objects which have been briefly adverted to, and to meet the current expenses of the services of the Colony, it has been the duty and privilege of the House of Representatives to make ample pecuniary provision, and on their behalf I now request from your Excellency the Royal assent to the two Appropriation Bills which I have now the honor to present, and also to a Bill to authorize the raising of a temporary loan for defence and other purposes.

His Excellency the Governor, in Her Majesty's name, thanked her loyal subjects, accepted their benevolence, and assented to the Acts.

His Excellency having, on behalf of Her Majesty, assented to sundry other Acts, delivered the following speech :—

HONORABLE LEGISLATIVE COUNCILLORS,
GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,

I thank you for the assiduity with which you have devoted yourselves to the consideration of the business of the country, and the care you have bestowed on the various important subjects to which I invited your attention at the commencement of the session.

I sincerely hope that the large measures which

you have passed, for the purpose of promoting public works, encouraging immigration, and developing the resources of the country, will be the means of reviving that spirit of colonization which led to the foundation of this Colony, and which must be the basis of its future prosperity. When I consider how small a portion of the country has yet been colonized, and how small a population occupies it, I cannot fail to observe that the responsibility of a great work rests not only on this but on future generations. By measures of such a character as those you have lately passed, the redundant capital and population of the parent country can be made available to supply the wants of the Colony.

An essential feature of these measures is the beneficial influence which they will necessarily have on the peace of the country and the settlement of Native difficulties. To both races it must be a source of profound gratification that you have determined to continue an essentially peaceful policy, and I congratulate you on the disposition which the Natives evince to reciprocate your conciliatory intentions.

The presence of Her Majesty's ships of war on this station has had a most beneficial effect, and the services of Commodore Lambert, C.B., and the officers and men under his command, are recognized through the Colony with gratitude.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,

I thank you for the supplies which you have granted for the public service of the year; they shall be administered with all due care.

HONORABLE LEGISLATIVE COUNCILLORS,

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,

I cannot but congratulate you on the friendly feeling towards New Zealand which the Commissioners sent to Great Britain to communicate with the Imperial Government have succeeded in establishing.

The adoption of the Torrens system of land transfer, which has for some years past been worked with great success in South Australia and other neighbouring colonies, will no doubt be attended here with the same advantages as elsewhere—it will simplify the complicated law of landed estate, and make it as easily transferable as any other species of property. Although apparently a mere administrative improvement, this measure really embodies a great social and economical reform.

The Act which provides for the use of the ballot in the elections of members of the House of Representatives and of Provincial Councils, will, I hope, prove a useful measure, facilitating the taking of votes, and securing the franchise from abuse.

I congratulate you on your desire to increase the trade of the Colony, and to extend its connection with the rest of the world, as evidenced by your making provision for a mail service to England *via* San Francisco, and by the several measures of commercial importance which you have passed during the session. The Act for reuniting the Provinces of Otago and Southland,

and that for readjusting the financial relations of the Colony and the Provinces, afford proof of the elasticity of the existing institutions of the country, and of the readiness with which modifications to suit changes of circumstances can be effected.

I am sure you will join with me in deploring the intelligence just received of the commencement of a great European war, and in hoping that it will soon be brought to a close, and that the friendly relations of Great Britain with foreign countries may not be imperilled.

In releasing you from your labours, I will express a hope that under the blessing of God they may be found to be the means of advancing the prosperity of the country, of consolidating the peaceful relations between the two races which inhabit it, and promoting their general welfare.

The Hon. the SPEAKER.—It is His Excellency's will and pleasure that this Parliament be prorogued until Tuesday, the 11th day of October next; and this Parliament is accordingly prorogued until the 11th day of October next.

HOUSE OF REPRESENTATIVES.

Tuesday, 13th September, 1870.

Canterbury Gauge Bill—Mount Benger Petition—Business of the Session—Prorogation.

The SPEAKER took the chair at eleven o'clock.

PRAYERS.

CANTERBURY GAUGE BILL.

Mr. VOGEL desired to bring before the House a question which was to some extent a reconsideration of what had been before the House in various shades during the session—the question of the railway gauge for the Province of Canterbury. He asked the House to recollect that there was something more than a mere question of feeling at stake; there was a question of absolutely stopping a very important public work. There was rolling stock and the necessary plant ready for the construction of a railway from Christchurch to Rangiora, and the Act which they passed last night virtually put a stop to the work. The Act which they passed last night, professing to give a narrow gauge within the Province of Canterbury, was incomplete, because it still left a gap between Lyttelton and Christchurch and Christchurch to Rakaia. The measure which the Government now proposed to introduce would provide for a narrow gauge right through the Province of Canterbury, from one end to the other, whenever it was desirable that it should be so. All they said was, let the other line from Addington Station to Rangiora proceed with a 5 feet 3 inch gauge, and they had put in a provision which was worded in the most stringent terms. It was as follows:—

“Whenever it shall seem to the Governor in Council advisable to do so, in order to connect the line of railway south of the Rakaia, or north of Rangiora, with a narrow gauge railway on

either side, he may cause a third line of rail to be laid along the whole of the lines between Rangiora and the Rakaia, and between Christchurch and Lyttelton, and the cost of the same shall be a charge upon the revenues of the Province of Canterbury, and shall be deducted out of any moneys coming to the said Province from the colonial treasury."

That would provide, really, for a narrow gauge line right through the Province, whilst it would not put a stop to the works which were in progress. He asked leave to bring in the Bill.

Leave was granted. The Bill was brought in, read a first time, and ordered to be printed.

On the question that it be read a second time,

Mr. DRIVER said he would like to make one or two remarks before the question was put. He was bound to admit that he gave the vote which he did last night, in support of the amendments of the Legislative Council, with a great amount of reluctance indeed. He felt bound to do so from the fact that the question appeared to him to have resolved itself into a purely local question, and he was placed in the position of either voting against the amendment of the Council, and thus doing what he conceived to be an injustice to Canterbury, or of voting in favour of it, and doing an injustice to that part of the country which he represented. He could not quite agree with the proposals that had just been submitted to them, which would rescind what had already been done, because, from his own knowledge of the feeling of the other House, he thought it would only be opening up the question again without any good result. He believed that the action taken by the House last night would eventually be to the general advantage of the railway system throughout the country; besides, he thought the Colonial Treasurer might as well have included the forty miles of railway at present constructed in the Province of Southland in the Bill under the same conditions as the Canterbury railways. The honorable member recommended, in his statement, the advisability of constructing a line from the Molyneux to Invercargill, but it would be impossible to carry out twenty miles to the Bluff without the 4 feet 8½ inch gauge, which was the present gauge. It was also advisable to extend the line from Winton to Queenstown, which also had a 4 feet 8½ inch gauge. He did not see upon what grounds Canterbury should be made an exception. He would vote against the proposal of the Government upon principle. The matter was decided last night, and was left in a better position than it would be if the proposed Bill were passed.

Mr. VOGEL said the provisions of the Bill were agreed to by the members from the Province of Canterbury, and were discussed at the conference last night, when one member from the other House assented to them, but the other two did not. There was no use disguising the fact that the question of the Canterbury gauge had been used, by a small section of members in the other House, and by some members in that House, for the purpose of throwing out the whole

Railways Bill, not that they cared a bit about the gauge. The Government was bound to resist anything of that sort, and to see that such an injustice was not done to Canterbury.

The Bill was read a second time, considered in Committee, reported with amendments, which were agreed to, and the Bill read a third time, and passed.

The Bill was subsequently received from the Legislative Council, with amendments, in which they requested the concurrence of the House of Representatives.

The amendments were agreed to.

MOUNT BENDER PETITION.

Mr. LUDLAM brought up the report of the joint Committee on Waste Lands, on the petition of certain settlers in Mount Benger, which was read.

Mr. VOGEL moved that the report be printed. He hoped it would be circulated throughout the Province of Otago, and that it might lead the people of that Province to consider whether a system of free selection throughout the Province, with due exemptions in respect to auriferous land, would not be a system which would meet all those difficulties which, year after year, they heard of in that House, and would not be a system which would give them the same amount of contentment as was the case in the Province of Canterbury and in Southland with regard to the land system.

Mr. MERVYN said the report of the Committee seemed to him to be a most extraordinary one, because the petitioners were men who already had possession of land in Otago. They were at present leaseholders, and they prayed the House that the land which they had acquired by virtue of the agricultural lease system should be paid for by instalments, and the Committee to which the petition was referred stated that the cure for that evil was a system of free selection. To his mind, the petitioners asked for bread and the House gave them a stone. It was inopportune and improper for the Waste Lands Committee to have raised that question as they had done. He considered it was inappropriate to re-open the whole question. When the question was virtually under the consideration of the Waste Lands Committee, when the four petitions were before it, he had moved that the prayer of the petitions should be acceded to and the land thrown open for sale. The Colonial Treasurer wished the people of Otago to take the matter into consideration, as being the sole remedy for the evils complained of by the petitioners. It was an injudicious course for the Colonial Treasurer to recommend, and also for the Committee to raise the question in Committee, instead of having it raised and decided in the House.

Mr. DRIVER could not corroborate the statement made by the honorable member, who was himself responsible for the petition not being considered that day, and witnesses examined. He (Mr. Driver) hoped the Province would see that the course adopted by the Committee in recommending the report, was the only remedy

for doing away with the disputes which frequently took place in that House upon the question.

Motion agreed to.

BUSINESS OF THE SESSION.

The SPEAKER laid on the table the following schedule of business transacted by the House during the session :—

NEW WRITS ISSUED—	
During the recess of the Session of 1869 ...	8
During the Session of 1870 ...	1
	— 9

SELECT COMMITTEES—	
On Public Matters ...	23
On Private Bills ...	0
	— 23

STANDING COMMITTEES—	
Ditto on Private Bills ...	6
	3
	— 9

PUBLIC BILLS—	
<i>Originated in the House—</i>	
Received the Royal Assent ...	74
Reserved for the signification of Her Majesty's pleasure ...	1
Dropped or otherwise disposed of ...	25
	— 100

<i>Brought from the Council—</i>	
Received the Royal Assent ...	24
Reserved for the signification of Her Majesty's pleasure ...	0
Dropped or otherwise disposed of ...	5
	— 29

<i>Introduced by Message—</i>	
Received the Royal Assent ...	0
Dropped or otherwise disposed of ...	1
	— 1
	130

PRIVATE BILLS—	
<i>Originated in the House ...</i>	3
<i>Brought from the Council...</i>	0
	— 3

<i>Received the Royal Assent ...</i>	3
	105

DIVISIONS—	
In the whole House ...	41
In Committee ...	59
	— 100

SITTINGS—	
Days of meeting ...	57
Hours of sitting ...	482 h. 40 m.

Hours of sitting after midnight ...	29 h. 50 m.
Daily average ...	8 h. 23 m.

ADJOURNMENTS FOR WANT OF A QUORUM—	
Before commencement of Business ...	0
After commencement of Business ...	1
	— 1

VOTES AND PROCEEDINGS—	
Questions asked of Ministers ...	107
<i>Entries in Journals—</i>	
Of Business done ...	449
Of Notices of Motion ...	334
Of Orders of the Day ...	520
	— 1,303

Daily average ...	23
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ORDERS FOR PAPERS ...	62
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ADDRESSES FOR PAPERS ...	1
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OTHER ADDRESSES ...	8
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PAPERS LAID UPON THE TABLE—	
By Command ...	133
In Return to Orders ...	68
In Return to Address ...	0
By Mr. Speaker ...	2
By Act ...	3
By Leave ...	1
	— 207

Papers ordered to be Printed ...	135
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Papers not ordered to be Printed ...	72
	— 207

REPORTS FROM SELECT COMMITTEES—	
From the Committee on Public Petitions ...	110
From other Select Committees ...	30
From Standing Committees ...	38
	— 178

PROROGATION.

At one o'clock a message was received to attend the Governor in the Legislative Council.

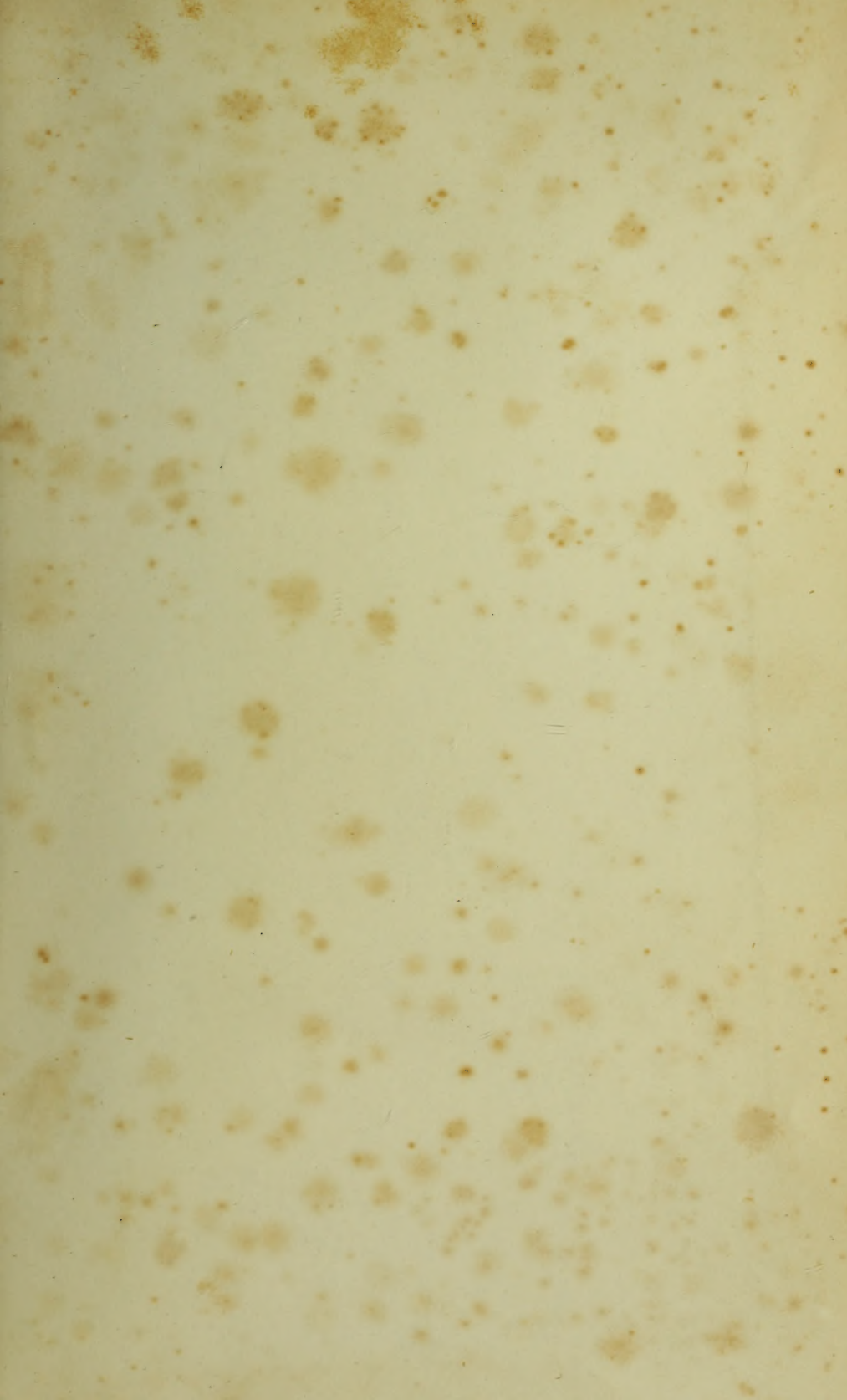
The House went, and the Governor, on behalf of Her Majesty, assented to several Bills; and afterwards the Governor delivered a speech to both Houses of the Assembly.

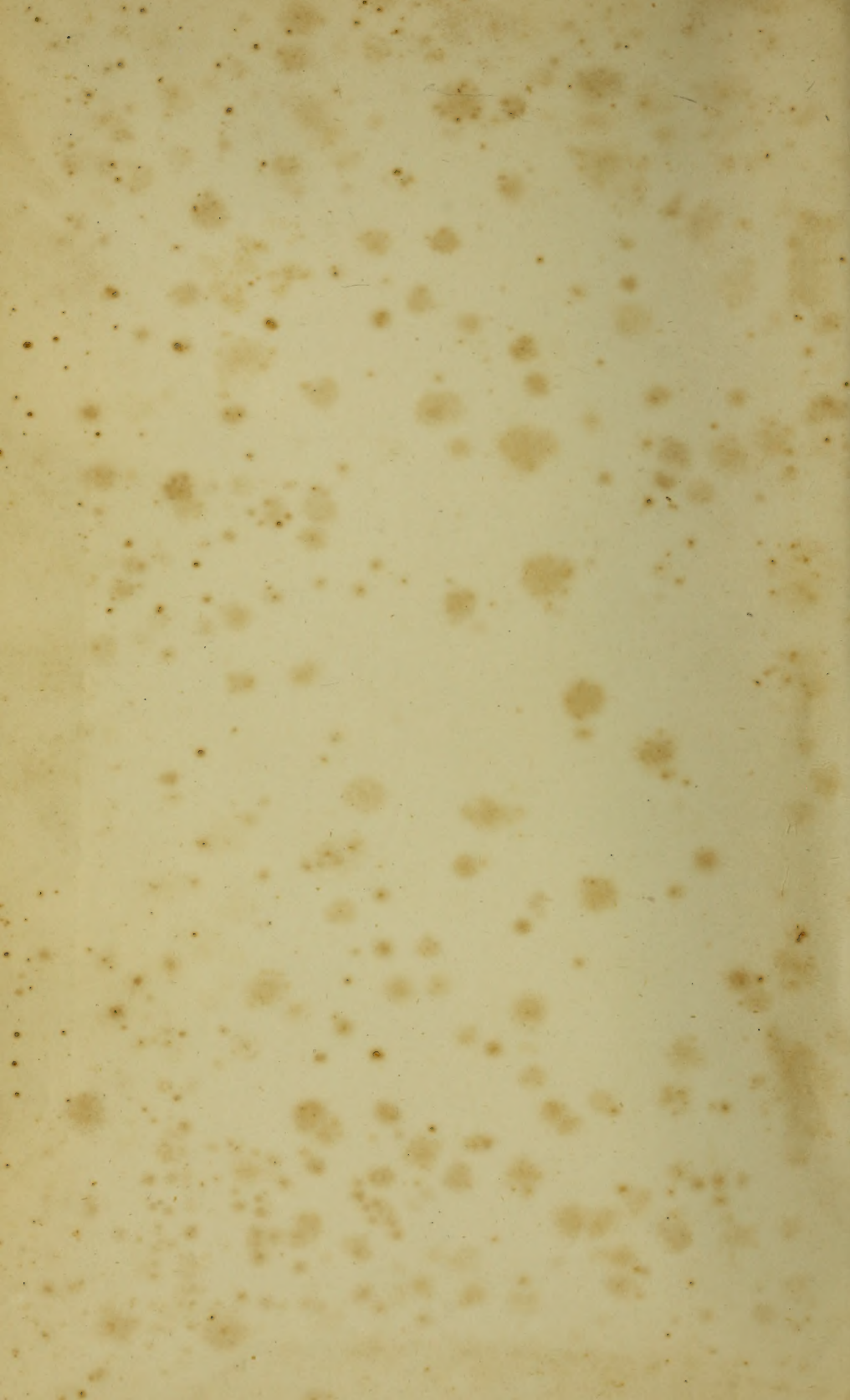
Then the Hon. the SPEAKER of the Legislative Council said: "It is His Excellency the Governor's will and pleasure that this Parliament be prorogued until Tuesday, the 11th day of October next; and this Parliament is accordingly prorogued until the 11th day of October next."

END OF NINTH VOLUME.











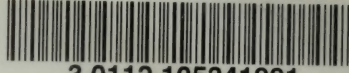
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